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THE ACT
TO
REGULATE COMMERCE

(AS AMENDED)

AND ACTS SUPPLEMENTARY THERETO
INDEXED, DIGESTED, AND ANNOTATED

INCLUDING THE
CARRIERS' LIABILITY ACT
SAFETY APPLIANCE ACTS
ACT REQUIRING REPORTS OF ACCIDENTS
ARBITRATION ACT
SHERMAN ANTI-TRUST ACT
AND OTHERS

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1907

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AUTHOR'S NOTE

THIS book was originally prepared for use in the professional practice of the Compiler. It is intended to furnish an index of the leading words and phrases used in the Acts relating to the regulation of commerce, a concise digest of the text relating to the respective words and phrases, and also a comparison of their uses in other parts of the same and the other Acts.

The text used is that contained in the official publication of the Interstate Commerce Commission, dated June 30, 1906, and is reprinted page for page and line for line; in addition, several Acts have been printed and digested not contained in said publication.

The digest beginning on page 81 covers the six Acts which are of special interest and importance to shippers and carriers. The digests of the other Acts will be found by consulting the table of contents, on page 1. This arrangement was determined upon for convenience of reference. Having found any particular word or phrase in the digest of the first six Acts, it will be easy to trace out the other uses of the same word in the other Acts by consulting the other digests.

The time in which this work had to be done was limited, the labor of preparation has not been slight, and any errors or omissions which may be found must be attributed to these causes, and, if pointed out, will be gratefully acknowledged.

In this connection the Compiler desires to acknowledge the help of H. W. Brown, Esq., and Miss S. L. Rhoades in reading and correcting proof.

14 BEACON STREET, BOSTON,
January 1, 1907.

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CONTENTS

(Showing citations)

	Page
An act to regulate commerce, approved February 4, 1887, and in effect April 5, 1887 (24 Stat. L., 379; 1 Supp. to Rev. Stat. U. S., 529), as amended by an act approved March 2, 1889 (25 Stat. L., 855; 1 Supp. to Rev. Stat. U. S., 684), and by an act approved February 10, 1891 (26 Stat. L., 743; 1 Supp. to Rev. Stat. U. S., 891), and by an act approved February 8, 1895 (28 Stat. L., 643; 2 Supp. to Rev. Stat. U. S., 369), and by an act approved June 29, 1906 (34 Stat. L., 584), and by a joint resolution approved June 30, 1906 (34 Stat. L., 838)	5
An act in relation to testimony before the Interstate Commerce Commission, and in cases or proceedings under or connected with an act entitled an act to regulate commerce, and amendments thereto, approved February 11, 1893 (27 Stat. L., 443; 2 Supp. to Rev. Stat. U. S., 80)	32
An act defining the right of immunity of witnesses under the act entitled an act in relation to testimony before the Interstate Commerce Commission, and so forth, approved February 11, 1893, and an act entitled an act to establish the Department of Commerce and Labor, approved February 14, 1903, and an act entitled an act to further regulate commerce with foreign nations and among the States, approved February 19, 1903, and an act entitled an act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes, approved February 25, 1903. (34 Stat. L., 798), approved June 30, 1906	33
An act to further regulate commerce with foreign nations and among the States, approved February 19, 1903 (32 Stat. L., 817), as amended by an act approved June 29, 1906 (34 Stat. L., 584)	34
An act to expedite the hearing and determination of suits in equity pending or hereafter brought under the act of July 2, 1890, entitled an act to protect trade and commerce against unlawful restraints and monopolies, an act to regulate commerce, or any other acts having a like purpose that may be hereafter enacted, approved February 11, 1903 (32 Stat. L., 823)	38
Index-digest of above acts	81
An act supplementary to the act of July 1, 1862, entitled an act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes, and also of the act of July 2, 1864, and other acts amendatory of said first-named act, approved August 7, 1888 (25 Stat. L., 382; 1 Supp. to Rev. Stat. U. S., 602)	39
Index-digest	267

	Page
An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes, approved March 2, 1893 (27 Stat. L., 531; 2 Supp. to Rev. Stat. U. S., 102), as amended by an act approved April 1, 1896 (29 Stat. L., 85; 2 Supp. to Rev. Stat. U. S., 455)	43
An act to amend an act entitled an act to promote the safety of employees and travelers, and so forth, approved March 2, 1893, and amended April 1, 1896, approved March 2, 1903 (32 Stat. L., 943)	46
An act authorizing Commission to employ safety-appliance inspectors, approved June 28, 1902 (32 Stat. L., 444)	47
Index-digest of above acts	303
Joint resolution directing the Interstate Commerce Commission to investigate and report on block-signal systems and appliances for the automatic control of railway trains, approved June 30, 1906 (34 Stat. L., 838)	47
Index-digest	329
An act authorizing Commission to approve system of interlocking or automatic signals on certain railroads in Indian and Oklahoma Territories, approved February 28, 1902 (32 Stat. L., 43)	48
Index-digest	337
An act requiring common carriers engaged in interstate commerce to make full reports of all accidents to the Interstate Commerce Commission, approved March 3, 1901 (31 Stat. L., 1446)	49
Index-digest	347
Joint resolution instructing the Interstate Commerce Commission to make examinations into the subject of railroad discriminations and monopolies in coal and oil, and report on the same from time to time, approved March 7, 1906 (34 Stat. L., 823)	50
Joint resolution amending joint resolution instructing the Interstate Commerce Commission to make examinations into the subject of railroad discriminations and monopolies, and report on the same from time to time, approved March 7, 1906, approved March 21, 1906 (34 Stat. L., 824)	51
Index-digest of above acts	357
An act concerning carriers engaged in interstate commerce and their employees, approved June 1, 1898 (30 Stat. L., 424)	52
Index-digest	377
An act relating to liability of common carriers engaged in interstate commerce, etc., to their employees, approved June 11, 1906 (34 Stat. L., 232)	60
Index-digest	441

	Page
An act to protect trade and commerce against unlawful restraints and monopolies, approved July 2, 1890 (26 Stat. L., 209)	61
Index-digest	453
An act to reduce taxation, to provide revenue for the Government, and for other purposes. Became a law August 28, 1894. Sections 73, 74, 75, 76, and 77 as to Trusts, etc., in import trade (28 Stat. L., 509)	63
Index-digest	473
An act to provide revenue for the Government and to encourage the industries of the United States, approved July 24, 1897. Section 34 (30 Stat. L., 151)	64
An act to amend an act entitled "An act to regulate commerce," approved February fourth, eighteen hundred and eighty-seven, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission. Approved June 29, 1906	65
Index-digest	81

THE ACT TO REGULATE COMMERCE, APPROVED FEB. 4, 1887, AND AMENDMENTS

(Additions made by Act of June 29, 1906, in brackets []. Other changes noted on margin)

1 *Be it enacted by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 SEC. 1. (*As amended June 29, 1906.*) That the provisions
4 of this Act shall apply to [any corporation or any person
5 or persons engaged in the transportation of oil or other
6 commodity, except water and except natural or artificial
7 gas, by means of pipe lines, or partly by pipe lines and
8 partly by railroad, or partly by pipe lines and partly by
9 water, who shall be considered and held to be common
10 carriers within the meaning and purpose of this act, and
11 to] any common carrier or carriers engaged in the trans-
12 portation of passengers or property wholly by railroad¹
13 (or partly by railroad and partly by water when both are
14 used under a common control, management, or arrange-
15 ment for a continuous carriage or shipment), from one
16 State or Territory of the United States, or the District of
17 Columbia, to any other State or Territory of the United
18 States, or the District of Columbia, [or from one place in
19 a Territory to another place in the same Territory,] or
20 from any place in the United States to an adjacent foreign
21 country, or from any place in the United States through
22 a foreign country to any other place in the United States,
23 and also to the transportation in like manner of property
24 shipped from any place in the United States to a foreign
25 country and carried from such place to a port of trans-
26 shipment, or shipped from a foreign country to any place
27 in the United States and carried to such place from a port
28 of entry either in the United States or an adjacent foreign
29 country: *Provided, however,* That the provisions of this
30 Act shall not apply to the transportation of passengers or
31 property, or to the receiving, delivering, storage, or han-
32 dling of property wholly within one State and not shipped
33 to or from a foreign country from or to any State or Ter-
34 ritory as aforesaid.

Carriers and
transportation
subject to the
act.

¹ The punctuation
of the original Act
was as follows:
"... Wholly by
railroad, or partly by
railroad and partly
by water when both
are used, under a
common control,
management, or ar-
rangement, for a con-
tinuous carriage or
shipment,"...

Act does not
apply to trans-
portation wholly
within one State.

Express companies and sleeping car companies included.

What the terms "railroad" and "transportation" include.

Charges must be just and reasonable.

¹ The old law was as follows:

"... Or for the receiving, delivering, storage or handling of such property" . . .

Free passes and free transportation prohibited.

² See Section 22 of present Act.

Excepted classes.

The term ["common carrier" as used in this Act shall include express companies and sleeping car companies.] The term "railroad," as used in this Act, shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any corporation operating a railroad, whether owned or operated under a contract, agreement, or lease, [and shall also include all switches, spurs, tracks, and terminal facilities of every kind used or necessary in the transportation of the persons or property designated herein, and also all freight depôts, yards, and grounds used or necessary in the transportation or delivery of any of said property;] and the term "transportation" shall include [cars and other vehicles and] all instrumentalities [and facilities] of shipment or carriage, [irrespective of ownership or of any contract, express or implied, for the use thereof and all services in connection with the receipt, delivery, elevation, and transfer in transit, ventilation, refrigeration or icing, storage, and handling of property transported; and it shall be the duty of every carrier subject to the provisions of this Act to provide and furnish such transportation upon reasonable request therefor, and to establish through routes and just and reasonable rates applicable thereto.] All charges made for any service rendered or to be rendered in the transportation of passengers or property as aforesaid, or in connection therewith,² shall be just and reasonable; and every unjust and unreasonable charge for such service [or any part thereof] is prohibited and declared to be unlawful. [No³ common carrier subject to the provisions of this Act shall, after January first, nineteen hundred and seven, directly or indirectly, issue or give any interstate free ticket, free pass, or free transportation for passengers, except to its employees and their families, its officers, agents, surgeons, physicians, and attorneys at law; to ministers of religion, traveling secretaries of railroad Young Men's Christian Associations, inmates of hospitals and charitable and eleemosynary institutions, and persons exclusively engaged in charitable and eleemosynary work; to indigent, destitute and homeless persons, and to such persons when transported by charitable societies or hospitals, and the necessary agents employed in such transportation; to inmates of the National Homes or State Homes for Disabled Volunteer Soldiers, and of Soldiers' and Sailors' Homes, including those about to enter and

1 those returning home after discharge and boards of man-
 2 agers of such Homes; to necessary care takers of live stock,
 3 poultry, and fruit; to employees on sleeping cars, express
 4 cars, and to linemen of telegraph and telephone companies;
 5 to Railway Mail Service employees, post-office inspectors,
 6 customs inspectors and immigration inspectors; to news-
 7 boys on trains, baggage agents, witnesses attending any
 8 legal investigation in which the common carrier is inter-
 9 ested, persons injured in wrecks and physicians and nurses
 10 attending such persons: *Provided*, That this provision
 11 shall not be construed to prohibit the interchange of passes
 12 for the officers, agents, and employees of common carriers,
 13 and their families; nor to prohibit any common carrier
 14 from carrying passengers free with the object of provid-
 15 ing relief in cases of general epidemic, pestilence, or other
 16 calamitous visitation. Any common carrier violating this
 17 provision shall be deemed guilty of a misdemeanor and
 18 for each offence, on conviction, shall pay to the United
 19 States a penalty of not less than one hundred dollars nor
 20 more than two thousand dollars, and any person, other
 21 than the persons excepted in this provision, who uses any
 22 such interstate free ticket, free pass, or free transporta-
 23 tion, shall be subject to a like penalty. Jurisdiction of
 24 offenses under this provision shall be the same as that pro-
 25 vided for offenses in an Act entitled "An Act to further
 26 regulate commerce with foreign nations and among the
 27 States," approved February nineteenth, nineteen hundred
 28 and three, and any amendment thereof.

Interchange
of authorized
passes.

Jurisdiction
and penalty for
violation.

29 From and after May first, nineteen hundred and eight,
 30 it shall be unlawful for any railroad company to transport
 31 from any State, Territory, or the District of Columbia, to
 32 any other State, Territory, or the District of Columbia,
 33 or to any foreign country, any article or commodity, other
 34 than timber and the manufactured products thereof, manu-
 35 factured, mined, or produced by it, or under its authority,
 36 or which it may own in whole, or in part, or in which it
 37 may have any interest direct or indirect except such arti-
 38 cles or commodities as may be necessary and intended for
 39 its use in the conduct of its business as a common carrier.
 40 Any common carrier subject to the provisions of this
 41 Act, upon application of any lateral, branch line of rail-
 42 road, or of any shipper tendering interstate traffic for
 43 transportation, shall construct, maintain, and operate upon
 44 reasonable terms a switch connection with any such lateral,
 45 branch line of railroad, or private side track which may

Railroad com-
panies prohib-
ited from trans-
porting commod-
ities in which
they are inter-
ested. Timber
and products
thereof excepted.

Switch connec-
tions.

be constructed to connect with its railroad, where such connection is reasonably practicable and can be put in with safety and will furnish sufficient business to justify the construction and maintenance of the same; and shall furnish cars for the movement of such traffic to the best of its ability without discrimination in favor of or against any such shipper. If any common carrier shall fail to install and operate any such switch or connection as aforesaid, on application therefor in writing by any shipper, such shipper may make complaint to the Commission, as provided in section thirteen of this Act, and the Commission shall hear and investigate the same and shall determine as to the safety and practicability thereof and justification and reasonable compensation therefor and the Commission may make an order, as provided in section fifteen of this Act, directing the common carrier to comply with the provisions of this section in accordance with such order, and such order shall be enforced as hereinafter provided for the enforcement of all other orders by the Commission, other than orders for the payment of money.]

Switch connections may be ordered by the Commission.

SEC. 2. That if any common carrier subject to the provisions of this Act shall, directly or indirectly, by any special rate, rebate, drawback, or other device, charge, demand, collect, or receive from any person or persons a greater or less compensation for any service rendered, or to be rendered, in the transportation of passengers or property, subject to the provisions of this Act, than it charges, demands, collects, or receives from any other person or persons for doing for him or them a like and contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances and conditions, such common carrier shall be deemed guilty of unjust discrimination, which is hereby prohibited and declared to be unlawful.

Unjust discrimination defined and forbidden.

SEC. 3. That it shall be unlawful for any common carrier subject to the provisions of this Act to make or give any undue or unreasonable preference or advantage to any particular person, company, firm, corporation, or locality, or any particular description of traffic, in any respect whatsoever, or to subject any particular person, company, firm, corporation, or locality, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

Undue or unreasonable preference or advantage forbidden.

Every common carrier subject to the provisions of this Act shall, according to their respective powers, afford all

1 reasonable, proper, and equal facilities for the interchange
 2 of traffic between their respective lines, and for the receiv- **Facilities for**
 3 ing, forwarding, and delivering of passengers and property **interchange of**
 4 to and from their several lines and those connecting there- **traffic.**
 5 with, and shall not discriminate in their rates and charges
 6 between such connecting lines; but this shall not be con- **Discrimination**
 7 strued as requiring any such common carrier to give the **between connect-**
 8 use of its tracks or terminal facilities to another carrier **ing lines forbid-**
 9 engaged in like business. **den.**

10 SEC. 4. That it shall be unlawful for any common carrier
 11 subject to the provisions of this Act to charge or receive
 12 any greater compensation in the aggregate for the trans-
 13 portation of passengers or of like kind of property, under
 14 substantially similar circumstances and conditions, for a **Long and short**
 15 shorter than for a longer distance over the same line, in the **haul provision.**
 16 same direction, the shorter being included within the longer
 17 distance; but this shall not be construed as authorizing any
 18 common carrier within the terms of this Act to charge and
 19 receive as great compensation for a shorter as for a longer
 20 distance: *Provided, however,* That upon application to the
 21 Commission appointed under the provisions of this Act, **Commission**
 22 such common carrier may, in special cases, after investiga- **has authority to**
 23 tion by the Commission, be authorized to charge less for **relieve carriers**
 24 longer than for shorter distances for the transportation of **from the opera-**
 25 passengers or property; and the Commission may from **tion of this sec-**
 26 time to time prescribe the extent to which such designated
 27 common carrier may be relieved from the operation of this
 28 section of this Act.

29 SEC. 5. That it shall be unlawful for any common carrier
 30 subject to the provisions of this Act to enter into any con-
 31 tract, agreement, or combination with any other common
 32 carrier or carriers for the pooling of freights of different **Pooling of**
 33 and competing railroads, or to divide between them the **freights and**
 34 aggregate or net proceeds of the earnings of such railroads, **division of earn-**
 35 or any portion thereof; and in any case of an agreement **ings forbidden.**
 36 for the pooling of freights as aforesaid, each day of its
 37 continuance shall be deemed a separate offense.

38 SEC. 6. (*Amended March 2, 1889. Following section*
 39 *substituted June 29, 1906.*) That every common carrier
 40 subject to the provisions of this Act shall [file with the Com-
 41 mission created by this Act and] print and keep open to **4 The old law read**
 42 public inspection schedules showing [all] the rates, fares, **as follows:**
 43 and charges for transportation ⁴[between different points on **"... Transporta-**
 44 its own route and between points on its own route and **tion of passengers**
 45 points on the route of any other carrier by railroad, by **and property which**
any such common
carrier has estab-
lished and which are
in force at the time
upon its route" ...

Printing and posting of schedules of rates, fares and charges including rules and regulations affecting the same, icing, storage, and terminal charges, and freight classifications.

⁵ The old law contained here the words "upon its railroad."

⁶ The old law read, "... shall also state separately the terminal charges and any rules or regulations which in any wise change," etc.

Printing and posting of schedules of rates on freight carried through a foreign country.

Freight subject to customs duties in case of failure to publish through rates.

⁷ The old law added here the following: "and any law in conflict with this section is hereby repealed."

⁸ The old law had the word "advance" in place of the word "change."

⁹ The old law, "established."

¹⁰ The old law added, "as aforesaid."

Thirty days' public notice of change in rates must be given.

pipe line, or by water when a through route and joint rate have been established. If no joint rate over the through route has been established, the several carriers in such through route shall file, print, and keep open to public inspection, as aforesaid, the separately established rates, fares and charges applied to the through transportation.] The schedules printed as aforesaid by any such common carrier shall plainly state the places⁵ between which property and passengers will be carried, and shall contain the classification of freight in force, and shall also state separately⁶ [all] terminal charges, [storage charges, icing charges, and all other charges which the Commission may require, all privileges or facilities granted or allowed] and any rules or regulations which in any wise change, affect, or determine any part or the aggregate of such aforesaid rates, fares, and charges, [or the value of the service rendered to the passenger, shipper, or consignee.] Such schedules shall be plainly printed in large type, and copies for the use of the public shall be kept posted in two public and conspicuous places in every depot, station, or office of such carrier where passengers or freight, respectively, are received for transportation, in such form that they shall be accessible to the public and can be conveniently inspected. [The provisions of this section shall apply to all traffic, transportation, and facilities defined in this Act.]

Any common carrier subject to the provisions of this Act receiving freight in the United States to be carried through a foreign country to any place in the United States shall also in like manner print and keep open to public inspection, at every depot or office where such freight is received for shipment, schedules showing the through rates established and charged by such common carrier to all points in the United States beyond the foreign country to which it accepts freight for shipment; and any freight shipped from the United States through a foreign country into the United States the through rate on which shall not have been made public, as required by this Act, shall, before it is admitted into the United States from said foreign country, be subject to customs duties as if said freight were of foreign production.⁷

No [change]⁸ shall be made in the rates, fares, and charges [or joint rates, fares, and charges] which have been⁹ [filed] and published¹⁰ by any common carrier in compliance with the requirements of this section, except after [thirty days'

1 notice]¹¹ [to the Commission and to the public published as
2 aforesaid], which shall plainly state the changes proposed
3 to be made in the schedule then in force and the time
4 when the [changed]¹² rates, fares, or charges will go into
5 effect; and the proposed changes shall be shown by print-
6 ing new schedules, or shall be plainly indicated upon the
7 schedules in force at the time and kept open to public
8 inspection: [Provided, That the Commission may, in its
9 discretion and for good cause shown, allow changes upon
10 less than the notice herein specified, or modify the require-
11 ments of this section in respect to publishing, posting,
12 and filing of tariffs, either in particular instances or by a
13 general order applicable to special or peculiar circum-
14 stances or conditions.]¹³

15 [The names of the several carriers which are parties to
16 any joint tariff shall be specified therein, and each of the
17 parties thereto, other than the one filing the same, shall
18 file with the Commission such evidence of concurrence
19 therein or acceptance thereof as may be required or ap-
20 proved by the Commission, and where such evidence of
21 concurrence or acceptance is filed it shall not be necessary
22 for the carriers filing the same to also file copies of the
23 tariffs in which they are named as parties.]

24 Every common carrier [subject to this Act] shall also file
25 with said Commission copies of all contracts, agreements,
26 or arrangements with other common carriers in relation
27 to any traffic affected by the provisions of this Act to which
28 it may be a party.

29 The Commission may determine and prescribe the form
30 in which the schedules required by this section to be kept
31 open to public inspection shall be prepared and arranged
32 and may change the form from time to time as shall be
33 found expedient.

34 [No carrier, unless otherwise provided by this Act, shall
35 engage or participate in the transportation of passengers
36 or property, as defined in this Act, unless the rates, fares,
37 and charges upon which the same are transported by said
38 carrier have been filed and published in accordance with
39 the provisions of this Act; nor shall any carrier] charge¹⁴ or
40 demand or collect or receive a greater or less [or different]
41 compensation for such transportation of passengers or
42 property, or for any service in connection therewith,
43 [between the points named in such tariffs than the ¹⁵ rates,
44 fares, and charges which are specified in the tariff filed
45 and in effect at the time; nor shall any carrier refund or

¹¹ The old law, "ten days' public notice."

¹² The old law, "increased."

Commission may modify requirements of this section.

¹³ The old law provided for three days' notice of reductions and ten days' notice of advances.

Joint tariffs must specify names of carriers participating. Evidence of concurrence.

Copies of contracts, agreements or arrangements relating to traffic must be filed with Commission.

Commission may prescribe forms of schedules.

No carrier shall engage in transportation unless it files and publishes rates, fares, and charges thereon.

¹⁴ These paragraphs, other than the new matter, are a condensation of the material part of the old Act, Sec. 6, as amended by the Act of March 2, 1889.

Published rates not to be deviated from.

¹⁵ The old Act provided for advances and reductions in single and joint rates separately.

remit in any manner or by any device any portion of the rates, fares, and charges so specified, nor extend to any shipper or person any privileges or facilities in the transportation of passengers or property, except such as are specified in such tariffs: *Provided*, That wherever the

"Carrier" word "carrier" occurs in this Act it shall be held to mean means "common carrier."

Preference and expedition of military traffic in time of war.

[That in time of war or threatened war preference and precedence shall, upon the demand of the President of the United States, be given, over all other traffic, to the transportation of troops and material of war, and carriers shall adopt every means within their control to facilitate and expedite the military traffic.]

SEC. 7. That it shall be unlawful for any common carrier subject to the provisions of this Act to enter into any combination, contract, or agreement, expressed or implied, to prevent, by change of time schedule, carriage in different cars, or by other means or devices, the carriage of freights from being continuous from the place of shipment to the place of destination; and no break of bulk, stoppage, or interruption made by such common carrier shall prevent the carriage of freights from being and being treated as one continuous carriage from the place of shipment to the place of destination, unless such break, stoppage, or interruption was made in good faith for some necessary purpose, and without any intent to avoid or unnecessarily interrupt such continuous carriage or to evade any of the provisions of this act.

Continuous carriage of freights from place of shipment to place of destination.

SEC. 8. That in case any common carrier subject to the provisions of this Act shall do, cause to be done, or permit to be done any act, matter, or thing in this Act prohibited or declared to be unlawful, or shall omit to do any Act, matter, or thing in this Act required to be done, such common carrier shall be liable to the persons or persons injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this Act, together with a reasonable counsel or attorney's fee, to be fixed by the court in every case of recovery, which attorney's fee shall be taxed and collected as part of the costs in the case.

Liability of common carriers for damages.

Persons claiming to be damaged may elect whether to complain to the Commission or bring suit in a United States court.

SEC. 9. That any person or persons claiming to be damaged by any common carrier subject to the provisions of this Act may either make complaint to the Commission as hereinafter provided for, or may bring suit in his or their own behalf for the recovery of the damages for which such

1 common carrier may be liable under the provisions of this
 2 Act, in any district or circuit court of the United States of
 3 competent jurisdiction; but such person or persons shall
 4 not have the right to pursue both of said remedies, and
 5 must in each case elect which one of the two methods of
 6 procedure herein provided for he or they will adopt. In
 7 any such action brought for the recovery of damages the
 8 court before which the same shall be pending may compel
 9 any director, officer, receiver, trustee, or agent of the cor-
 10 poration or company defendant in such suit to attend,
 11 appear, and testify in such case, and may compel the pro-
 12 duction of the books and papers of such corporation or
 13 company party to any such suit; the claim that any such
 14 testimony or evidence may tend to criminate the person
 15 giving such evidence shall not excuse such witness from
 16 testifying, but such evidence or testimony shall not be
 17 used against such person on the trial of any criminal
 18 proceeding.

Officers of de-
 fendant may be
 compelled to
 testify.

19 SEC. 10. (*As amended March 2, 1889.*) That any common
 20 carrier subject to the provisions of this Act, or, whenever
 21 such common carrier is a corporation, any director or
 22 officer thereof, or any receiver, trustee, lessee, agent, or
 23 person, acting for or employed by such corporation, who,
 24 alone or with any other corporation, company, person,
 25 or party, shall willfully do or cause to be done, or shall
 26 willingly suffer or permit to be done, any act, matter, or
 27 thing in this Act prohibited or declared to be unlawful, or
 28 who shall aid or abet therein, or shall willfully omit or
 29 fail to do any act, matter, or thing in this Act required
 30 to be done, or shall cause or willingly suffer or permit
 31 any act, matter, or thing so directed or required by this Act
 32 to be done not to be so done, or shall aid or abet any such
 33 omission or failure, or shall be guilty of any infraction of
 34 this Act, or shall aid or abet therein, shall be deemed guilty
 35 of a misdemeanor, and shall, upon conviction thereof in any
 36 district court of the United States within the jurisdiction of
 37 which such offense was committed, be subject to a fine of not
 38 to exceed five thousand dollars for each offense: *Provided*,
 39 That if the offense for which any person shall be convicted
 40 as aforesaid shall be an unlawful discrimination in rates,
 41 fares, or charges, for the transportation of passengers or
 42 property, such person shall, in addition to the fine herein-
 43 before provided for, be liable to imprisonment in the peni-
 44 tentiary for a term of not exceeding two years, or both such
 45 fine and imprisonment, in the discretion of the court.

Penalties for
 violations of Act
 by carriers, or
 when the carrier
 is a corpora-
 tion, its officers,
 agents, or em-
 ployes: Fine and
 imprisonment.

Penalties for false billing, etc., by carriers, their officers or agents: Fine and imprisonment. Any common carrier subject to the provisions of this Act, or, whenever such common carrier is a corporation, any officer or agent thereof, or any person acting for or employed by such corporation, who, by means of false billing, false classification, false weighing, or false report of weight, or by any other device or means, shall knowingly and willfully assist, or shall willingly suffer or permit, any person or persons to obtain transportation for property at less than the regular rates then established and in force on the line of transportation of such common carrier, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof in any court of the United States of competent jurisdiction within the district in which such offense was committed, be subject to a fine of not exceeding five thousand dollars, or imprisonment in the penitentiary for a term of not exceeding two years, or both, in the discretion of the court, for each offense.

Penalties for false billing, etc., by shippers and other persons: Fine and imprisonment. Any person and any officer or agent of any corporation or company who shall deliver property for transportation to any common carrier, subject to the provisions of this act, or for whom as consignor or consignee any such carrier shall transport property, who shall knowingly and willfully, by false billing, false classification, false weighing, false representation of the contents of the package, or false report of weight, or by any other device or means, whether with or without the consent or connivance of the carrier, its agent or agents, obtain transportation for such property at less than the regular rates then established and in force on the line of transportation, shall be deemed guilty of fraud, which is hereby declared to be a misdemeanor, and shall, upon conviction thereof in any court of the United States of competent jurisdiction within the district in which such offense was committed, be subject for each offense to a fine of not exceeding five thousand dollars or imprisonment in the penitentiary for a term of not exceeding two years, or both, in the discretion of the court.

Penalties for inducing common carriers to discriminate unjustly: Fine and imprisonment. Joint liability with carrier for damages. If any such person, or any officer or agent of any such corporation or company, shall, by payment of money or other thing of value, solicitation, or otherwise, induce any common carrier subject to the provisions of this Act, or any of its officers or agents, to discriminate unjustly in his, its, or their favor as against any other consignor or consignee in the transportation of property, or shall aid or abet any common carrier in any such unjust discrimination, such

1 person or such officer or agent of such corporation or com-
 2 pany shall be deemed guilty of a misdemeanor, and shall,
 3 upon conviction thereof in any court of the United States
 4 of competent jurisdiction within the district in which such
 5 offense was committed, be subject to a fine of not exceeding
 6 five thousand dollars, or imprisonment in the penitentiary
 7 for a term of not exceeding two years, or both, in the dis-
 8 cretion of the court, for each offense; and such person, cor-
 9 poration, or company shall also, together with said common
 10 carrier, be liable, jointly or severally, in an action on the
 11 case to be brought by any consignor or consignee discrimi-
 12 nated against in any court of the United States of compe-
 13 tent jurisdiction for all damages caused by or resulting
 14 therefrom.

15 SEC. 11. That a Commission is hereby created and estab-
 16 lished to be known as the Interstate Commerce Commis-
 17 sion, which shall be composed of five Commissioners, who
 18 shall be appointed by the President, by and with the advice
 19 and consent of the Senate. The Commissioners first ap-
 20 pointed under this Act shall continue in office for the term
 21 of two, three, four, five, and six years, respectively, from
 22 the first day of January, Anno Domini eighteen hundred
 23 and eighty-seven, the term of each to be designated by the
 24 President; but their successors shall be appointed for terms
 25 of six years, except that any person chosen to fill a vacancy
 26 shall be appointed only for the unexpired time of the Com-
 27 missioner whom he shall succeed. Any Commissioner may
 28 be removed by the President for inefficiency, neglect of
 29 duty, or malfeasance in office. Not more than three of the
 30 Commissioners shall be appointed from the same political
 31 party. No person in the employ of or holding any official
 32 relation to any common carrier subject to the provisions of
 33 this act, or owning stock or bonds thereof, or who is in any
 34 manner pecuniarily interested therein, shall enter upon the
 35 duties of or hold such office. Said Commissioners shall not
 36 engage in any other business, vocation, or employment.
 37 No vacancy in the Commission shall impair the right of
 38 the remaining Commissioners to exercise all the powers of
 39 the Commission. (*See section 24.*)

**Interstate
Commerce Com-
missioners—how
appointed.**

**See Sections 18 and
24.**

**Terms of Com-
missioners.**

40 SEC. 12. (*As amended March 2, 1889, and February 10,*
 41 *1891.*) That the Commission hereby created shall have
 42 authority to inquire into the management of the business of
 43 all common carriers subject to the provisions of this Act, and
 44 shall keep itself informed as to the manner and method in

**Power and
duty of Commis-
sion to inquire
into business of
carriers and keep
itself informed in
regard thereto.**

Commission required to execute and enforce provisions of this act.

Duty of district attorney to prosecute under direction of Attorney-General.

Costs and expenses of prosecution to be paid out of appropriation for courts.

Power of Commission to require attendance and testimony of witnesses and production of documentary evidence.

Commission may invoke aid of courts to compel witnesses to attend and testify.

Penalty for disobedience to order of the Court.

Claim that testimony or evidence will tend to criminate will not excuse witness.

Testimony may be taken by deposition.

which the same is conducted, and shall have the right to obtain from such common carriers full and complete information necessary to enable the Commission to perform the duties and carry out the objects for which it was created; and the Commission is hereby authorized and required to execute and enforce the provisions of this Act; and, upon the request of the Commission, it shall be the duty of any district attorney of the United States to whom the Commission may apply to institute in the proper court and to prosecute under the direction of the Attorney-General of the United States all necessary proceedings for the enforcement of the provisions of this Act and for the punishment of all violations thereof, and the costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States; and for the purposes of this Act the Commission shall have power to require, by subpoena, the attendance and testimony of witnesses and the production of all books, papers, tariffs, contracts, agreements, and documents relating to any matter under investigation.

Such attendance of witnesses, and the production of such documentary evidence, may be required from any place in the United States, at any designated place of hearing. And in case of disobedience to a subpoena the Commission, or any party to a proceeding before the Commission, may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of books, papers, and documents under the provisions of this section.

And any of the circuit courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpoena issued to any common carrier subject to the provisions of this Act, or other person, issue an order requiring such common carrier or other person to appear before said Commission (and produce books and papers if so ordered) and give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. The claim that any such testimony or evidence may tend to criminate the person giving such evidence shall not excuse such witness from testifying; but such evidence or testimony shall not be used against such person on the trial of any criminal proceeding.

The testimony of any witness may be taken, at the instance of a party in any proceeding or investigation

1 depending before the Commission, by deposition, at any
 2 time after a cause or proceeding is at issue on petition and
 3 answer. The Commission may also order testimony to be
 4 taken by deposition in any proceeding or investigation
 5 pending before it, at any stage of such proceeding or inves-
 6 tigation. Such depositions may be taken before any judge
 7 of any court of the United States, or any commissioner of a
 8 circuit, or any clerk of a district or circuit court, or any
 9 chancellor, justice, or judge of a supreme or superior court,
 10 mayor or chief magistrate of a city, judge of a county
 11 court, or court of common pleas of any of the United States,
 12 or any notary public, not being of counsel or attorney to
 13 either of the parties, nor interested in the event of the pro-
 14 ceeding or investigation. Reasonable notice must first be
 15 given in writing by the party, or his attorney, proposing
 16 to take such deposition to the opposite party or his attor-
 17 ney of record, as either may be nearest, which notice
 18 shall state the name of the witness and the time and place
 19 of the taking of his deposition. Any person may be com-
 20 pelled to appear and depose, and to produce documentary
 21 evidence, in the same manner as witnesses may be com-
 22 pelled to appear and testify and produce documentary evi-
 23 dence before the Commission as hereinbefore provided.

Commission may order testimony to be taken by deposition.

Reasonable notice must be given.

Testimony by deposition may be compelled in the same manner as above specified.

24 Every person deposing as herein provided shall be cau-
 25 tioned and sworn (or affirm, if he so request) to testify the
 26 whole truth, and shall be carefully examined. His testi-
 27 mony shall be reduced to writing by the magistrate taking
 28 the deposition, or under his direction, and shall, after it has
 29 been reduced to writing, be subscribed by the deponent.

Manner of taking depositions.

30 If a witness whose testimony may be desired to be taken
 31 by deposition be in a foreign country, the deposition may
 32 be taken before an officer or person designated by the Com-
 33 mission, or agreed upon by the parties by stipulation in
 34 writing to be filed with the Commission. All depositions
 35 must be promptly filed with the Commission.

When witness is in a foreign country.

Depositions must be filed with the Commission.

36 Witnesses whose depositions are taken pursuant to this
 37 Act, and the magistrate or other officer taking the same,
 38 shall severally be entitled to the same fees as are paid for
 39 like services in the courts of the United States.

Fees of witnesses and magistrates.

40 SEC. 13. That any person, firm, corporation, or associa-
 41 tion, or any mercantile, agricultural, or manufacturing
 42 society, or any body politic or municipal organization com-
 43 plaining of anything done or omitted to be done by any
 44 common carrier subject to the provisions of this Act in con-

Complaints to Commission. How and by whom made. How served upon carriers.

Reparation by carriers before investigation.

Investigations of complaints by the Commission.

Complaints forwarded by State railroad commissions.

Institution of inquiries by the Commission on its own motion.

Complainant need not be directly damaged.

Commission must make report of investigations, stating its conclusions and order.

¹⁰ Under the old law, Sec. 14 as amended by the Act of March 2, 1889, the Commission must include in its report the findings of fact upon which its conclusions were based, and it was also provided that such findings should be prima facie evidence, etc., in all judicial proceedings.

Reparation. Reports of investigations must be entered of record. Service of copies on parties.

Reports and decisions. Authorized publication competent evidence.

Publication and distribution of annual reports of Commission.

travention of the provisions thereof, may apply to said Commission by petition, which shall briefly state the facts; whereupon a statement of the charges thus made shall be forwarded by the Commission to such common carrier, who shall be called upon to satisfy the complaint or to answer the same in writing within a reasonable time, to be specified by the Commission. If such common carrier, within the time specified, shall make reparation for the injury alleged to have been done, said carrier shall be relieved of liability to the complainant only for the particular violation of law thus complained of. If such carrier shall not satisfy the complaint within the time specified, or there shall appear to be any reasonable ground for investigating said complaint, it shall be the duty of the Commission to investigate the matters complained of in such manner and by such means as it shall deem proper.

Said Commission shall in like manner investigate any complaint forwarded by the railroad commissioner or railroad commission of any State or Territory, at the request of such commissioner or commission, and may institute any inquiry on its own motion in the same manner and to the same effect as though complaint had been made.

No complaint shall at any time be dismissed because of the absence of direct damage to the complainant.

SEC. 14. (*Amended March 2, 1889, and June 29, 1906.*) That whenever an investigation shall be made by said Commission, it shall be its duty to make a report in writing in respect thereto, which shall state the conclusions^{1a} of the Commission, [together with its decision, order, or requirement in the premises; and in case damages are awarded such report shall include the findings of fact on which the award is made.]

All reports of investigations made by the Commission shall be entered of record, and a copy thereof shall be furnished to the party who may have complained, and to any common carrier that may have been complained of.

The Commission may provide for the publication of its reports and decisions in such form and manner as may be best adapted for public information and use, and such authorized publications shall be competent evidence of the reports and decisions of the Commission therein contained in all courts of the United States and of the several States without any further proof or authentication thereof. The Commission may also cause to be printed for early distribution its annual reports.

1 SEC. 15. (*As amended June 29, 1906.*) [That¹⁷ the Com-
2 mission is authorized and empowered, and it shall be its
3 duty, whenever, after full hearing upon a complaint made
4 as provided in section thirteen of this Act, or upon com-
5 plaint of any common carrier, it shall be of the opinion
6 that any of the rates, or charges whatsoever, demanded,
7 charged, or collected by any common carrier or carriers,
8 subject to the provisions of this Act, for the transportation
9 of persons or property as defined in the first section of
10 this Act, or that any regulations or practices whatsoever
11 of such carrier or carriers affecting such rates, are unjust
12 or unreasonable, or unjustly discriminatory, or unduly
13 preferential or prejudicial, or otherwise in violation of
14 any of the provisions of this Act, to determine and pre-
15 scribe what will be the just and reasonable rate or rates,
16 charge or charges, to be thereafter observed in such case
17 as the maximum to be charged; and what regulation or
18 practice in respect to such transportation is just, fair, and
19 reasonable to be thereafter followed; and to make an order
20 that the carrier shall cease and desist from such violation,
21 to the extent to which the Commission find the same to
22 exist, and shall not thereafter publish, demand, or collect
23 any rate or charge for such transportation in excess of the
24 maximum rate or charge so prescribed, and shall conform
25 to the regulation or practice so prescribed. All orders of
26 the Commission, except orders for the payment of money,
27 shall take effect within such reasonable time, not less than
28 thirty days, and shall continue in force for such period of
29 time, not exceeding two years, as shall be prescribed in
30 the order of the Commission, unless the same shall be sus-
31 pended or modified or set aside by the Commission or be
32 suspended or set aside by a court of competent jurisdiction.
33 Whenever the carrier or carriers, in obedience to such
34 order of the Commission or otherwise, in respect to joint
35 rates, fares, or charges, shall fail to agree among them-
36 selves upon the apportionment or division thereof, the
37 Commission may after hearing make a supplemental order
38 prescribing the just and reasonable proportion of such
39 joint rate to be received by each carrier party thereto,
40 which order shall take effect as a part of the original order.
41 The Commission may also, after hearing on a complaint,
42 establish through routes and joint rates as the maximum
43 to be charged and prescribe the division of such rates as
44 hereinbefore provided, and the terms and conditions under
45 which such through routes shall be operated, when that may

¹⁷ This section is entirely new. Old law provided for notice to carrier from Commission to desist from violation and to make reparation which when done should be entered of record and should relieve carrier from further liability for such particular violation of law. When order, etc., was not founded on a controversy requiring a trial by jury under U. S. Constitution, Petition could be filed in U. S. Circuit Court sitting in equity to enforce Order, etc., when carrier refused to obey same. The findings of fact in report of Commission were prima facie evidence.

Commission may determine and prescribe just and reasonable rates to be observed as maximum charges.

Commission may determine and prescribe just and reasonable regulations or practices. Commission may order carriers to cease and desist from full extent of violations found. Orders of the Commission effective as prescribed but in not less than thirty days.

Orders shall continue in force not exceeding two years, unless suspended or set aside by Commission or Court.

When carriers fail to agree on divisions of joint rate Commission may prescribe proportion of such rate to be received by each carrier.

Commission may establish through routes and joint rates.

be necessary to give effect to any provision of this Act, and the carriers complained of have refused or neglected to voluntarily establish such through routes and joint rates, provided no reasonable or satisfactory through route exists, and this provision shall apply when one of the connecting carriers is a water line.

Commission may determine just and reasonable charge or allowance for service rendered by owner of property transported or for any instrumentality furnished by such owner and used in such transportation.

Enumeration of powers in this section not exclusive.

Award of damages by Commission.

¹⁸ Under old laws, if matters involved in Order, etc., were such as required trial by Jury, a Petition could be filed in U. S. Circuit Court sitting as a Court of law. Either party could demand Jury trial and the findings of fact in Report of Commission were prima facie evidence.

Petition to United States court in case carrier does not comply with order for payment of money.

Findings of fact of Commission shall be prima facie evidence in reparation cases.

Petitioner not liable for costs in circuit court.

If the owner of property transported under this Act directly or indirectly renders any service connected with such transportation, or furnishes any instrumentality used therein, the charge and allowance therefor shall be no more than is just and reasonable, and the Commission may, after hearing on a complaint, determine what is a reasonable charge as the maximum to be paid by the carrier or carriers for the service so rendered or for the use of the instrumentality so furnished, and fix the same by appropriate order, which order shall have the same force and effect and be enforced in like manner as the orders above provided for in this section.

The foregoing enumeration of powers shall not exclude any power which the Commission would otherwise have in the making of an order under the provisions of this Act.]

SEC. 16. (*Amended March 2, 1889. Following section substituted June 29, 1906.*) [That if, after hearing on a complaint made as provided in section thirteen of this Act, the Commission shall determine that any party complainant is entitled to an award of damages under the provisions of this Act for a violation thereof, the Commission shall make an order directing the carrier to pay to the complainant the sum to which he is entitled on or before a day named.

If a carrier ¹⁸ does not comply with an order for the payment of money within the time limit in such order, the complainant, or any person for whose benefit such order was made, may file in the circuit court of the United States for the district in which he resides or in which is located the principal operating office of the carrier, or through which the road of the carrier runs, a petition setting forth briefly the causes for which he claims damages, and the order of the Commission in the premises. Such suit shall proceed in all respects like other civil suits for damages, except that on the trial of such suit the findings and order of the Commission shall be prima facie evidence of the facts therein stated, and except that the petitioner shall not be liable for costs in the circuit court nor for costs at any subsequent stage of the proceedings unless

1 they accrue upon his appeal. If the petitioner shall
 2 finally prevail he shall be allowed a reasonable attorney's
 3 fee, to be taxed and collected as a part of the costs of the **Petitioner's at-**
 4 suit. All complaints for the recovery of damages shall be **torney's fees.**
 5 filed with the Commission within two years from the time **Limitation**
 6 the cause of action accrues, and not after, and a petition for **upon action.**
 7 the enforcement of an order for the payment of money
 8 shall be filed in the circuit court within one year from the
 9 date of the order, and not after: *Provided*, That claims **A c c r u e d**
 10 accrued prior to the passage of this Act may be presented **claims.**
 11 within one year.

12 In such suits all parties in whose favor the Commission
 13 may have made an award for damages by a single order
 14 may be joined as plaintiffs, and all of the carriers parties **Joint plaintiffs**
 15 to such order awarding such damages may be joined as **may sue joint**
 16 defendants, and such suit may be maintained by such **defendants in**
 17 joint plaintiffs and against such joint defendants in any **courts on awards**
 18 district where any one of such joint plaintiffs could main- **of damages.**
 19 tain such suit against any one of such joint defendants;
 20 and service of process against any one of such defendants **Service of**
 21 as may not be found in the district where the suit is **process.**
 22 brought may be made in any district where such defendant
 23 carrier has its principal operating office. In case of such
 24 joint suit the recovery, if any, may be by judgment in
 25 favor of any one of such plaintiffs, against the defendant
 26 found to be liable to such plaintiff.

27 Every order of the Commission shall be forthwith
 28 served by mailing to any one of the principal officers or **Service of order**
 29 agents of the carrier at his usual place of business a copy **of Commission**
 30 thereof; and the registry mail receipt shall be prima facie **by mailing.**
 31 evidence of the receipt of such order by the carrier in due
 32 course of mail.

33 The Commission shall be authorized to suspend or mod- **Commission**
 34 ify its orders upon such notice and in such manner as it **may suspend or**
 35 shall deem proper. **modify order.**

36 It shall be the duty of every common carrier, its agents **Carriers, their**
 37 and employees, to observe and comply with such orders **agents and em-**
 38 so long as the same shall remain in effect. **ployees, must**
comply with
such orders.

39 Any carrier, any officer, representative, or agent of a
 40 carrier, or any receiver, trustee, lessee, or agent of either
 41 of them, who knowingly fails or neglects to obey any
 42 order made under the provisions of section fifteen of this
 43 Act shall forfeit to the United States the sum of five
 44 thousand dollars for each offense. Every distinct viola- **Punishment by**
forfeiture for re-
fusal to obey or-
der of Commis-
sion under sec-
tion 15.

tion shall be a separate offense, and in case of a continuing 1
violation each day shall be deemed a separate offense. 2

Forfeiture payable into Treasury and recoverable in civil suit.

The forfeiture provided for in this Act shall be payable 3
into the Treasury of the United States, and shall be re- 4
coverable in a civil suit in the name of the United States, 5
brought in the district where the carrier has its principal 6
operating office, or in any district through which the road 7
of the carrier runs. 8

Duty of district attorneys to prosecute.

It shall be the duty of the various district attorneys, 9
under the direction of the Attorney-General of the United 10
States, to prosecute for the recovery of forfeitures. The 11

Costs and expenses to be paid out of appropriation for court expenses.

costs and expenses of such prosecution shall be paid out 12
of the appropriation for the expenses of the courts of the 13
United States. The Commission may, with the consent 14

Commission may employ special counsel.

of the Attorney-General, employ special counsel in any 15
proceeding under this Act, paying the expenses of such 16
employment out of its own appropriation. 17

Petition to United States courts in cases of disobedience to order of Commission other than for payment of money. Jurisdiction of court.

If any carrier fails or neglects to obey any order of the 18
Commission, other than for the payment of money, while 19
the same is in effect, any party injured thereby, or the 20
Commission in its own name, may apply to the circuit 21
court in the district where such carrier has its principal 22
operating office, or in which the violation or disobedience 23
of such order shall happen, for an enforcement of such 24
order. Such application shall be by petition, which shall 25
state the substance of the order and the respect in which 26
the carrier has failed of obedience, and shall be served 27
upon the carrier in such manner as the court may direct, 28

¹⁹ The provision of the old law that the facts found shall be prima facie evidence, etc., is omitted here because the Commission does not have to report the facts found in this class of cases.

and the court shall prosecute such inquiries¹⁹ and make such 29
investigations, through such means as it shall deem need- 30
ful in the ascertainment of the facts at issue or which may 31
arise upon the hearing of such petition. If, upon such 32
hearing as the court may determine to be necessary, it 33
appears that the order was regularly made and duly served, 34
and that the carrier is in disobedience of the same, the 35

Court must enforce disobeyed order if regularly made and duly served.

court shall enforce obedience to such order by a writ of 36
injunction, or other proper process, mandatory or other- 37
wise, to restrain such carrier, its officers, agents, or repre- 38
sentatives, from further disobedience of such order, or to 39
enjoin upon it, or them, obedience to the same; and in the 40
enforcement of such process the court shall have those 41
powers ordinarily exercised by it in compelling obedience 42
to its writs of injunction and mandamus. 43

Appeal to Supreme Court of United States.

From any action upon such petition an appeal shall lie 44
by either party to the Supreme Court of the United States, 45

1 and in such court the case shall have priority in hearing
2 and determination over all other causes except criminal
3 causes, but such appeal shall not vacate or suspend the
4 order appealed from.

5 The venue of suits brought in any of the circuit courts
6 of the United States against the Commission to enjoin, set
7 aside, annul, or suspend any order or requirement of the
8 Commission shall be in the district where the carrier
9 against whom such order or requirement may have been
10 made has its principal operating office, and may be brought
11 at any time after such order is promulgated. And if the
12 order or requirement has been made against two or more
13 carriers then in the district where any one of said carriers
14 has its principal operating office, and if the carrier has its
15 principal operating office in the District of Columbia then
16 the venue shall be in the district where said carrier has its
17 principal office; and jurisdiction to hear and determine
18 such suits is hereby vested in such courts. The provisions
19 of "An Act to expedite the hearing and determination of
20 suits in equity, and so forth," approved February eleventh,
21 nineteen hundred and three, shall be, and are hereby,
22 made applicable to all such suits, including the hearing on
23 an application for a preliminary injunction, and are also
24 made applicable to any proceeding in equity to enforce
25 any order or requirement of the Commission, or any of
26 the provisions of the Act to regulate commerce approved
27 February fourth, eighteen hundred and eighty-seven, and
28 all Acts amendatory thereof or supplemental thereto. It
29 shall be the duty of the Attorney-General in every such
30 case to file the certificate provided for in said expediting
31 Act of February eleventh, nineteen hundred and three, as
32 necessary to the application of the provisions thereof, and
33 upon appeal as therein authorized to the Supreme Court
34 of the United States, the case shall have in such court pri-
35 ority in hearing and determination over all other causes
36 except criminal causes: *Provided*, That no injunction,
37 interlocutory order or decree suspending or restraining
38 the enforcement of an order of the Commission shall be
39 granted except on hearing after not less than five days'
40 notice to the Commission. An appeal may be taken from
41 any interlocutory order or decree granting or continuing
42 an injunction in any suit, but shall lie only to the Supreme
43 Court of the United States: *Provided further*, That the
44 appeal must be taken within thirty days from the entry of
45 such order or decree and it shall take precedence in the

Venue of suits brought against Commission to enjoin, set aside, annul, or suspend order of Commission.

Provisions of expediting act to apply.

Appeal to Supreme Court.
Priority of case in Supreme Court.

No injunction or interlocutory order to be granted except after not less than 5 days' notice.

Appeal to Supreme Court from interlocutory order or decree in 30 days.

appellate court over all other causes, except causes of like character and criminal causes.

Rate schedules, contracts, or agreements, and carrier's annual reports filed with Commission are public records, receivable in courts and by the Commission as prima facie evidence. Certified copies or extracts therefrom also prima facie evidence.

The copies of schedules and tariffs of rates, fares, and charges, and of all contracts, agreements, or arrangements between common carriers filed with the Commission as herein provided, and the statistics, tables, and figures contained in the annual reports of carriers made to the Commission, as required by the provisions of this Act, shall be preserved as public records in the custody of the secretary of the Commission, and shall be received as prima facie evidence of what they purport to be for the purpose of investigations by the Commission and in all judicial proceedings; and copies of or extracts from any of said schedules, tariffs, contracts, agreements, arrangements, or reports made public records as aforesaid, certified by the secretary under its seal, shall be received in evidence with like effect as the originals.]

²⁰ This is new matter.

[SEC. 16a. (Added June 29, 1906.)²⁰ That after a decision, order, or requirement has been made by the Commission in any proceeding any party thereto may at any time make application for rehearing of the same, or any matter determined therein, and it shall be lawful for the Commission in its discretion to grant such a rehearing if sufficient reason therefor be made to appear. Applications for rehearing shall be governed by such general rules as the Commission may establish. No such application shall excuse any carrier from complying with or obeying any decision, order, or requirement of the Commission, or operate in any manner to stay or postpone the enforcement thereof, without the special order of the Commission. In case a rehearing is granted the proceedings thereupon shall conform as nearly as may be to the proceedings in an original hearing, except as the Commission may otherwise direct; and if, in its judgment, after such rehearing and the consideration of all facts, including those arising since the former hearing, it shall appear that the original decision, order, or requirement is in any respect unjust or unwarranted, the Commission may reverse, change, or modify the same accordingly. Any decision, order, or requirement made after such rehearing, reversing, changing, or modifying the original determination shall be subject to the same provisions as an original order.]

Commission may grant rehearings.

Application for rehearing shall not operate as stay of proceedings, unless so ordered by Commission.

Commission may, on rehearing, reverse, change, or modify order.

SEC. 17. (As amended March 2, 1889.) That the Commission may conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the

1 ends of justice. A majority of the Commission shall con-
 2 stitute a quorum for the transaction of business, but no
 3 Commissioner shall participate in any hearing or proceed-
 4 ing in which he has any pecuniary interest. Said Commis-
 5 sion may, from time to time, make or amend such general
 6 rules or orders as may be requisite for the order and regu-
 7 lation of proceedings before it, including forms of notices
 8 and the service thereof, which shall conform, as nearly as
 9 may be, to those in use in the courts of the United States.
 10 Any party may appear before said Commission and be
 11 heard, in person or by attorney. Every vote and official
 12 act of the Commission shall be entered of record, and its
 13 proceedings shall be public upon the request of either party
 14 interested. Said Commission shall have an official seal,
 15 which shall be judicially noticed. Either of the members
 16 of the Commission may administer oaths and affirmations
 17 and sign subpoenas.

**Interstate Com-
 merce Commis-
 sion. Form of
 procedure.**

**Parties may ap-
 pear before the
 Commission in
 person or by at-
 torney.**

Official seal.

18 SEC. 18. (*As amended March 2, 1889.*) [*See Section 24.*]
 19 That each Commissioner shall receive an annual salary of
 20 seven thousand five hundred dollars, payable in the same
 21 manner as the judges of the courts of the United States.
 22 The Commission shall appoint a secretary, who shall re-
 23 ceive an annual salary of three thousand five hundred dol-
 24 lars, payable in like manner. The Commission shall have
 25 authority to employ and fix the compensation of such
 26 other employees as it may find necessary to the proper
 27 performance of its duties. Until otherwise provided by
 28 law, the Commission may hire suitable offices for its use,
 29 and shall have authority to procure all necessary office
 30 supplies. Witnesses summoned before the Commission
 31 shall be paid the same fees and mileage that are paid wit-
 32 nesses in the courts of the United States.

**Salaries of Com-
 missioners.**

**Secretary—how
 appointed; sal-
 ary.**

Employees.

**Offices and sup-
 plies.**

Witnesses' fees.

33 All of the expenses of the Commission, including all
 34 necessary expenses for transportation incurred by the
 35 Commissioners, or by their employees under their orders,
 36 in making any investigation, or upon official business in
 37 any other places than in the city of Washington, shall be
 38 allowed and paid on the presentation of itemized vouchers
 39 therefor approved by the chairman of the Commission.

**Expenses of the
 Commission—
 how paid.**

40 SEC. 19. That the principal office of the Commission
 41 shall be in the city of Washington, where its general ses-
 42 sions shall be held; but whenever the convenience of the
 43 public or the parties may be promoted, or delay or expense
 44 prevented thereby, the Commission may hold special ses-

**Principal office
 of the Commis-
 sion.**

**Sessions of the
 Commission.**

Commission may prosecute inquiries by one or more of its members in any part of the United States. sions in any part of the United States. It may, by one or more of the Commissioners, prosecute any inquiry necessary to its duties, in any part of the United States, into any matter or question of fact pertaining to the business of any common carrier subject to the provisions of this Act.

Carriers subject to Act, and owners of railroads engaged in interstate commerce must render full annual reports to Commission; and Commission is authorized to prescribe manner in which reports shall be made and require specific answers to all questions. SEC. 20. (*As amended June 29, 1906.*) That the Commission is hereby authorized to require annual reports from all common carriers subject to the provisions of this Act, [and from the owners of all railroads engaged in interstate commerce as defined in this Act;] to prescribe the manner²¹ in which such reports shall be made, and to require from such carriers specific answers to all questions upon which the Commission may need information. Such annual reports shall show in detail the amount of capital stock issued, the amounts paid therefor, and the manner of payment for the same; the dividends paid, the surplus fund, if any, and the number of stockholders; the funded and floating debts and the interest paid thereon; the cost and value of the carrier's property, franchises, and equipments; the number of employees and the salaries paid each class; [the accidents to passengers, employees, and other persons, and the causes thereof;] the amounts expended for improvements each year, how expended, and the character of such improvements; the earnings and receipts from each branch of business and from all sources; the operating and other expenses; the balances of profit and loss; and a complete exhibit of the financial operations of the carrier each year, including an annual balance sheet. Such reports shall also contain such information in relation to rates or regulations concerning fares or freights, or agreements, arrangements, or contracts [affecting the same]²² as the Commission may require; and the Commission may, [in] * its discretion, for the purpose of enabling it the better to carry out the purposes of this Act, prescribe²³ a period of time within which all common carriers subject to the provisions of this Act shall have, as near as may be, a uniform system of accounts, and the manner in which such accounts shall be kept.

²¹ The old Act also had the words "fix the time."

What reports of carriers shall contain.

Commission may prescribe uniform system of accounts and manner of keeping accounts.

²² The old Act contains the words "with other common carriers."

* Old law, "within."

²³ The old Act had the following:

"If in the opinion of the Commission it is practicable to prescribe such uniformity and methods of keeping accounts."

Annual reports to be filed with Commission by September 30 of each year.

Commission may grant additional time.

[Said detailed reports shall contain all the required statistics for the period of twelve months ending on the thirtieth day of June in each year, and shall be made out under oath and filed with the Commission, at its office in Washington, on or before the thirtieth day of September then next following, unless additional time be granted in any case by the Commission; and if any carrier, person,

1 or corporation subject to the provisions of this act shall
 2 fail to make and file said annual reports within the time
 3 above specified, or within the time extended by the Com-
 4 mission for making and filing the same, or shall fail to
 5 make specific answer to any question authorized by the
 6 provisions of this section within thirty days from the
 7 time it is lawfully required so to do, such parties shall
 8 forfeit to the United States the sum of one hundred dol-
 9 lars for each and every day it shall continue to be in
 10 default with respect thereto. The Commission shall also
 11 have authority to require said carriers to file monthly
 12 reports of earnings and expenses or special reports within
 13 a specified period, and if any such carrier shall fail to file
 14 such reports within the time fixed by the Commission it
 15 shall be subject to the forfeitures last above provided.

**Punishment by
forfeiture for
failure to file.**

**Commission
may require fil-
ing of monthly
and special re-
ports.**

16 Said forfeitures shall be recovered in the manner pro-
 17 vided for the recovery of forfeitures under the provisions
 18 of this Act.

**Punishment by
forfeiture for
failure to file
special reports.**

19 The oath required by this section may be taken before
 20 any person authorized to administer an oath by the laws
 21 of the State in which the same is taken.

**Oath to annual
reports, how
taken.**

22 The Commission may, in its discretion, prescribe the
 23 forms of any and all accounts, records, and memoranda to
 24 be kept by carriers subject to the provisions of this Act,
 25 including the accounts, records, and memoranda of the
 26 movement of traffic as well as the receipts and expendi-
 27 tures of moneys. The Commission shall at all times have
 28 access to all accounts, records, and memoranda kept by
 29 carriers subject to this Act, and it shall be unlawful for
 30 such carriers to keep any other accounts, records, or mem-
 31 oranda than those prescribed or approved by the Com-
 32 mission, and it may employ special agents or examiners,
 33 who shall have authority under the order of the Commis-
 34 sion to inspect and examine any and all accounts, records,
 35 and memoranda kept by such carriers. This provision
 36 shall apply to receivers of carriers and operating trustees.

**Commission
may prescribe
forms of ac-
counts, records,
and memoranda,
and have access
thereto.**

**Carrier can not
keep other ac-
counts than those
prescribed by
Commission.**

**Commission
may employ spe-
cial examiner to
inspect accounts
and records.**

37 In case of failure or refusal on the part of any such
 38 carrier, receiver, or trustee to keep such accounts, records,
 39 and memoranda on the books and in the manner prescribed
 40 by the Commission, or to submit such accounts, records,
 41 and memoranda as are kept to the inspection of the Com-
 42 mission or any of its authorized agents or examiners, such
 43 carrier, receiver, or trustee shall forfeit to the United
 44 States the sum of five hundred dollars for each such
 45 offense and for each and every day of the continuance of
 46 such offense, such forfeitures to be recoverable in the
 47 same manner as other forfeitures provided for in this Act.

**Punishment of
carrier by for-
feiture for failure
to keep accounts
or records as pre-
scribed by Com-
mission or allow
inspection of ac-
counts or records.**

Punishment of person for false entry in accounts or records, or mutilation of accounts or records, or for keeping other accounts than those prescribed by Commission. Fine or imprisonment or both.

Any person who shall willfully make any false entry in the accounts of any book of accounts or in any record or memoranda kept by a carrier, or who shall willfully destroy, mutilate, alter, or by any other means or device falsify the record of any such account, record, or memoranda, or who shall willfully neglect or fail to make full, true, and correct entries in such accounts, records, or memoranda of all facts and transactions appertaining to the carrier's business, or shall keep any other accounts, records, or memoranda than those prescribed or approved by the Commission, shall be deemed guilty of a misdemeanor and shall be subject, upon conviction in any court of the United States of competent jurisdiction, to a fine of not less than one thousand dollars nor more than five thousand dollars, or imprisonment for a term not less than one year nor more than three years, or both such fine and imprisonment.

Punishment of special examiner who divulges facts or information without authority. Fine or imprisonment or both.

Any examiner who divulges any fact or information which may come to his knowledge during the course of such examination, except in so far as he may be directed by the Commission or by a court or judge thereof, shall be subject, upon conviction in any court of the United States of competent jurisdiction, to a fine of not more than five thousand dollars or imprisonment for a term not exceeding two years, or both.

United States courts may issue mandamus to compel compliance with provisions of Act.

²⁴ The old law, Sec. 6, limited the writ of Mandamus to cases of failure to publish and file schedules, etc. See also Sec. 23 of old law added March 2, 1889, as to Mandamus, commanding movement of traffic, furnishing cars and facilities, etc., to all upon equal terms, etc.

That the circuit and district courts of the United States shall have jurisdiction, upon the application of the Attorney-General of the United States at the request of the Commission, alleging a failure to comply with or a violation of any of the provisions of said Act to regulate commerce or of any Act supplementary thereto or amendatory thereof by any common carrier, to issue a writ or writs of mandamus ²⁴ commanding such common carrier to comply with the provisions of said Acts, or any of them.

Commission may employ special agents or examiners to administer oaths, examine witnesses, and receive evidence.

And to carry out and give effect to the provisions of said Acts, or any of them, the Commission is hereby authorized to employ special agents or examiners who shall have power to administer oaths, examine witnesses, and receive evidence.

Receiving common carrier liable for loss or damage on through shipments carried by it or by any connection, irrespective of contract to contrary.

That any common carrier, railroad, or transportation company receiving property for transportation from a point in one State to a point in another State shall issue a receipt or bill of lading therefor and shall be liable to the lawful holder thereof for any loss, damage, or injury to

1 such property caused by it or by any common carrier,
 2 railroad, or transportation company to which such prop-
 3 erty may be delivered or over whose line or lines such
 4 property may pass, and no contract, receipt, rule, or reg-
 5 ulation shall exempt such common carrier, railroad, or
 6 transportation company from the liability hereby imposed:
 7 *Provided*, That nothing in this section shall deprive any
 8 holder of such receipt or bill of lading of any remedy or
 9 right of action which he has under existing law.

Remedies under
existing law not
barred.

10 That the common carrier, railroad, or transportation
 11 company issuing such receipt or bill of lading shall be
 12 entitled to recover from the common carrier, railroad, or
 13 transportation company on whose line the loss, damage,
 14 or injury shall have been sustained the amount of such
 15 loss, damage, or injury as it may be required to pay to
 16 the owners of such property, as may be evidenced by any
 17 receipt, judgment, or transcript thereof.]

Initial carrier
may have re-
course upon car-
rier responsible
for loss or dam-
age.

18 SEC. 21. (*As amended March 2, 1889.*) That the Com-
 19 mission shall, on or before the first day of December in
 20 each year, make a report, which shall be transmitted to
 21 Congress, and copies of which shall be distributed as are
 22 the other reports transmitted to Congress. This report
 23 shall contain such information and data collected by the
 24 Commission as may be considered of value in the determi-
 25 nation of questions connected with the regulation of com-
 26 merce, together with such recommendations as to additional
 27 legislation relating thereto as the Commission may deem
 28 necessary; and the names and compensation of the persons
 29 employed by said Commission.

Annual reports
of the Commis-
sion to Congress.

30 SEC. 22. (*As amended March 2, 1889, and February 8,*
 31 *1895.*) That nothing in this Act shall prevent the carriage,
 32 storage, or handling of property free or at reduced rates for
 33 the United States, State, or municipal governments, or for
 34 charitable purposes, or to or from fairs and expositions for
 35 exhibition thereat, or the free carriage of destitute and
 36 homeless persons transported by charitable societies, and
 37 the necessary agents employed in such transportation, or
 38 the issuance of mileage, excursion, or commutation passen-
 39 ger tickets; nothing in this Act shall be construed to pro-
 40 hibit any common carrier from giving reduced rates to
 41 ministers of religion, or to municipal governments for the
 42 transportation of indigent persons, or to inmates of the
 43 National Homes or State Homes for Disabled Volunteer
 44 Soldiers, and of Soldiers' and Sailors' Orphan Homes, in-
 45 cluding those about to enter and those returning home

Persons and
property that
may be carried
free or at reduced
rates.

Mileage, ex-
cursion, or com-
mutation passen-
ger tickets.

after discharge, under arrangements with the boards of
 managers of said homes; nothing in this Act shall be con-
 strued to prevent railroads from giving free carriage to
 their own officers and employees, or to prevent the princi-
 pal officers of any railroad company or companies from
 exchanging passes or tickets with other railroad companies
 for their officers and employees; and nothing in this Act
 contained shall in any way abridge or alter the remedies
 now existing at common law or by statute, but the pro-
 visions of this Act are in addition to such remedies: *Pro-*
vided, That no pending litigation shall in any way be
 affected by this act: *Provided further*, That nothing in
 this act shall prevent the issuance of joint interchange-
 able five-thousand-mile tickets, with special privileges as
 to the amount of free baggage that may be carried under
 mileage tickets of one thousand or more miles. But before
 any common carrier, subject to the provisions of this Act,
 shall issue any such joint interchangeable mileage tickets
 with special privileges, as aforesaid, it shall file with the
 Interstate Commerce Commission copies of the joint tariffs
 of rates, fares, or charges on which such joint interchange-
 able mileage tickets are to be based, together with specifica-
 tions of the amount of free baggage permitted to be carried
 under such tickets, in the same manner as common carriers
 are required to do with regard to other joint rates by sec-
 tion six of this Act; and all the provisions of said section
 six relating to joint rates, fares, and charges shall be
 observed by said common carriers and enforced by the
 Interstate Commerce Commission as fully with regard to
 such joint interchangeable mileage tickets as with regard
 to other joint rates, fares, and charges referred to in said
 section six. It shall be unlawful for any common carrier
 that has issued or authorized to be issued any such joint
 interchangeable mileage tickets to demand, collect, or
 receive from any person or persons a greater or less com-
 pensation for transportation of persons or baggage under
 such joint interchangeable mileage tickets than that re-
 quired by the rate, fare, or charge specified in the copies
 of the joint tariff of rates, fares, or charges filed with the
 Commission in force at the time. The provisions of sec-
 tion ten of this Act shall apply to any violation of the
 requirements of this proviso.

Passes and free
 transportation to
 officers and em-
 ployees of rail-
 road companies.

Provisions of
 act are in addi-
 tion to remedies
 existing at com-
 mon law. Pend-
 ing litigation not
 affected by act.

Joint inter-
 changeable five-
 thousand-mile
 tickets. Amount
 of free baggage.

Publication of
 rates.

Sale of tickets.

Penalties.

1 NEW SECTION. (*Added March 2, 1889.*) (SEC. 23.)

2 That the circuit and district courts of the United States
3 shall have jurisdiction upon the relation of any person or
4 persons, firm, or corporation, alleging such violation by a
5 common carrier, of any of the provisions of the Act to
6 which this is a supplement and all Acts amendatory thereof,
7 as prevents the relator from having interstate traffic moved
8 by said common carrier at the same rates as are charged,
9 or upon terms or conditions as favorable as those given by
10 said common carrier for like traffic under similar condi-
11 tions to any other shipper, to issue a writ or writs of
12 mandamus against said common carrier, commanding such
13 common carrier to move and transport the traffic, or to
14 furnish cars or other facilities for transportation for the
15 party applying for the writ: *Provided*, That if any ques-
16 tion of fact as to the proper compensation to the common
17 carrier for the service to be enforced by the writ is raised
18 by the pleadings, the writ of peremptory mandamus may
19 issue, notwithstanding such question of fact is undeter-
20 mined, upon such terms as to security, payment of money
21 into the court, or otherwise, as the court may think proper,
22 pending the determination of the question of fact: *Pro-*
23 *vided*, That the remedy hereby given by writ of mandamus
24 shall be cumulative, and shall not be held to exclude or
25 interfere with other remedies provided by this Act or the
26 Act to which it is a supplement.

Jurisdiction of United States courts to issue writs of peremptory mandamus commanding the movement of interstate traffic or the furnishing of cars or other transportation facilities.

Peremptory mandamus may issue, notwithstanding proper compensation of carrier may be undetermined.

Remedy cumulative, and shall not interfere with other remedies provided by the Act.

27 [SEC. 24. (*Added June 29, 1906.*)²⁵ That the Interstate
28 Commerce Commission is hereby enlarged so as to consist
29 of seven members with terms of seven years, and each
30 shall receive ten thousand dollars compensation annually.
31 The qualifications of the Commissioners and the manner
32 of the payment of their salaries shall be as already pro-
33 vided by law. Such enlargement of the Commission shall
34 be accomplished through appointment by the President,
35 by and with the advice and consent of the Senate, of two
36 additional Interstate Commerce Commissioners, one for a
37 term expiring December thirty-first, nineteen hundred and
38 eleven, one for a term expiring December thirty-first, nine-
39 teen hundred and twelve. The terms of the present Com-
40 missioners, or of any successor appointed to fill a vacancy
41 caused by the death or resignation of any of the present
42 Commissioners, shall expire as heretofore provided by
43 law. Their successors and the successors of the additional
44 Commissioners herein provided for shall be appointed for
45 the full term of seven years, except that any person ap-

Commission to consist of seven members; terms; salaries.

²⁵ The old law was contained in sections 11 and 18 still in force except as herein changed.

Qualifications and enlargement of commission.

pointed to fill a vacancy shall be appointed only for the unexpired term of the Commissioner whom he shall succeed. Not more than four Commissioners shall be appointed from the same political party.]

(Additional provisions in Act of June 29, 1906.)

Existing laws as to attendance of witnesses and production of evidence applicable in proceedings under this Act.

[(SEC. 9.) That all existing laws relating to the attendance of witnesses and the production of evidence and the compelling of testimony under the Act to regulate commerce and all Acts amendatory thereof shall apply to any and all proceedings and hearings under this Act.]

Conflicting laws repealed.

[(SEC. 10.) That all laws and parts of laws in conflict with the provisions of this Act are hereby repealed; but the

Amendments not to affect pending causes in court.

amendments herein provided for shall not affect causes now pending in courts of the United States, but such causes shall be prosecuted to a conclusion in the manner heretofore provided by law.]

When Act effective.

[(SEC. 11.) That this Act shall take effect and be in force from and after its passage.]

Time of taking effect extended 60 days (August 28, 1906).

[Joint resolution of June 30, 1906, provides: "That the act entitled 'An act to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission,' shall take effect and be in force sixty days after its approval by the President of the United States."]

Public No. 41, approved February 4, 1887, as amended by Public No. 125, approved March 2, 1889, and Public No. 72, approved February 10, 1891. Public No. 38, approved February 8, 1895. Public No. 337, approved June 29, 1906. Public Res., No. 47, approved June 30, 1906.

AN ACT In relation to testimony before the Interstate Commerce Commission, and in cases of proceedings under or connected with an act entitled "An act to regulate commerce," approved February fourth, eighteen hundred and eighty-seven, and amendments thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That

Attendance and testimony of witnesses and production of documentary evidence compulsory before the Commission, and in any case, criminal or otherwise, in the courts.

no person shall be excused from attending and testifying or from producing books, papers, tariffs, contracts, agreements and documents before the Interstate Commerce Commission, or in obedience to the subpoena of the Commission, whether such subpoena be signed or issued by one or more Commissioners, or in any cause or proceeding, criminal or otherwise, based upon or growing out of any alleged

1 violation of the act of Congress, entitled "An act to regu-
 2 late commerce," approved February fourth, eighteen hun-
 3 dred and eighty-seven, or of any amendment thereof on
 4 the ground or for the reason that the testimony or evidence,
 5 documentary or otherwise, required of him, may tend to
 6 criminate him or subject him to a penalty or forfeiture.
 7 But no person shall be prosecuted or subjected to any pen-
 8 alty or forfeiture for or on account of any transaction, mat-
 9 ter or thing, concerning which he may testify, or produce
 10 evidence, documentary or otherwise, before said Commis-
 11 sion, or in obedience to its subpoena, or the subpoena of
 12 either of them, or in any such case or proceeding: *Provided*,
 13 That no person so testifying shall be exempt from prosecu-
 14 tion and punishment for perjury committed in so testifying.
 15 Any person who shall neglect or refuse to attend and
 16 testify, or to answer any lawful inquiry, or to produce
 17 books, papers, tariffs, contracts, agreements, and docu-
 18 ments, if in his power to do so, in obedience to the sub-
 19 poena or lawful requirement of the Commission, shall be
 20 guilty of an offense and upon conviction thereof by a court
 21 of competent jurisdiction shall be punished by fine not less
 22 than one hundred dollars nor more than five thousand dol-
 23 lars, or by imprisonment for not more than one year or
 24 by both such fine and imprisonment.
 25 Public, No. 54, approved February 11, 1893.

Immunity to
testifying wit-
nesses.

Perjury ex-
cepted.

Penalties: Fine
or imprison-
ment, or both.

AN ACT Defining the right of immunity of witnesses under the Act
 entitled "An act in relation to testimony before the Interstate Com-
 merce Commission," and so forth, approved February eleventh,
 eighteen hundred and ninety-three, and an act entitled "An act
 to establish the Department of Commerce and Labor," approved
 February fourteenth, nineteen hundred and three, and an act
 entitled "An act to further regulate commerce with foreign nations
 and among the States," approved February nineteenth, nineteen
 hundred and three, and an act entitled "An act making appropri-
 ations for the legislative, executive, and judicial expenses of the
 Government for the fiscal year ending June thirtieth, nineteen
 hundred and four, and for other purposes," approved February
 twenty-fifth, nineteen hundred and three.

26 *Be it enacted by the Senate and House of Representa-*
 27 *tives of the United States of America in Congress assem-*
 28 *bled,* That under the immunity provisions in the Act
 29 entitled "An Act in relation to testimony before the In-
 30 terstate Commerce Commission," and so forth, approved
 31 February eleventh, eighteen hundred and ninety-three,

in section six of the Act entitled "An Act to establish the Department of Commerce and Labor," approved February fourteenth, nineteen hundred and three, and in the Act entitled "An Act to further regulate commerce with foreign nations and among the States," approved February nineteenth, nineteen hundred and three, and in the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes," approved February twenty-fifth, nineteen hundred and three, immunity shall extend only to a natural person who, in obedience to a subpoena, gives testimony under oath or produces evidence, documentary or otherwise, under oath.

Public No. 389, approved June 30, 1906.

Immunity extends only to natural persons who give testimony under subpoena.

AN ACT To further regulate commerce with foreign nations and among the States.

(Additions made by Act of June 29, 1906, in brackets []. Other changes noted in margin.)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

§ 1. (As amended June 29, 1906, § 6.) That anything done

Carrier corporation as well as officer or agent liable to conviction for misdemeanor.

or omitted to be done by a corporation common carrier, subject to the act to regulate commerce and the acts amendatory thereof, which, if done or omitted to be done by any director or officer thereof, or any receiver, trustee, lessee, agent, or person acting for or employed by such corporation, would constitute a misdemeanor under said acts or under this act, shall also be held to be a misdemeanor committed by such corporation, and upon conviction thereof it shall be subject to like penalties as are prescribed in said acts or by this act with reference to such persons, except as such penalties are herein changed. The

Penalty.

Failure of carrier to publish rates or observe tariffs a misdemeanor.

willful failure upon the part of any carrier subject to said acts to file and publish the tariffs or rates and charges as required by said acts, or strictly to observe such tariffs until changed according to law, shall be a misdemeanor, and upon conviction thereof the corporation offending shall

Penalty, fine.

be subject to a fine of not less than one thousand dollars

Misdemeanor to offer, grant, give, solicit, accept, or receive any rebate from published rates or other concession or discrimination.

nor more than twenty thousand dollars for each offense; and it shall be unlawful for any person, persons, or corporation to offer, grant, or give, or to solicit, accept or receive any rebate, concession, or discrimination in respect [to]* the transportation of any property in interstate or foreign

* Old law, "of."
† Old law, "there-
to."

commerce by any common carrier subject to said act to regulate commerce and the acts amendatory [thereof] †

1 whereby any such property shall by any device whatever
 2 be transported at a less rate than that named in the tariffs
 3 published and filed by such carrier, as is required by said
 4 act to regulate commerce and the acts amendatory [thereof,]*
 5 or whereby any other advantage is given or discrimination
 6 is practiced. Every person or corporation, [whether car-
 7 rier or shipper,] who shall, [knowingly,] offer, grant, or give,
 8 or solicit, accept, or receive any such rebates, concession,
 9 or discrimination shall be deemed guilty of a misdemeanor,
 10 and on conviction thereof shall be punished by a fine of
 11 not less than one thousand dollars nor more than twenty
 12 thousand dollars:*[*Provided*, That any person, or any offi-
 13 cer or director of any corporation subject to the provisions
 14 of this act, or the act to regulate commerce and the acts
 15 amendatory thereof, or any receiver, trustee, lessee, agent,
 16 or person acting for or employed by any such corporation,
 17 who shall be convicted as aforesaid, shall, in addition to
 18 the fine herein provided for, be liable to imprisonment in
 19 the penitentiary for a term of not exceeding two years, or
 20 both such fine and imprisonment, in the discretion of the
 21 court.] Every violation of this section shall be prosecuted
 22 in any court of the United States having jurisdiction of
 23 crimes within the district in which such violation was com-
 24 mitted, or through which the transportation may have been
 25 conducted; and whenever the offense is begun in one juris-
 26 diction and completed in another it may be dealt with,
 27 inquired of, tried, determined, and punished in either
 28 jurisdiction in the same manner as if the offense had been
 29 actually and wholly committed therein.

30 In construing and enforcing the provisions of this section,
 31 the act, omission, or failure of any officer, agent, or other
 32 person acting for or employed by any common carrier, [or
 33 shipper,] acting within the scope of his employment, shall
 34 in every case be also deemed to be the act, omission, or
 35 failure of such carrier [or shipper] as well as that of the
 36 person. Whenever any carrier files with the Interstate
 37 Commerce Commission or publishes a particular rate
 38 under the provisions of the act to regulate commerce or
 39 acts amendatory [thereof,]† or participates in any rates so
 40 filed or published, that rate as against such carrier, its
 41 officers or agents, in any prosecution begun under this act
 42 shall be conclusively deemed to be the legal rate, and any
 43 departure from such rate, or any offer to depart there-
 44 from, shall be deemed to be an offense under this section
 45 of this act.

* Old law, "there-
to."

Penalty, fine or imprisonment, or both.

* The following, contained in the original Elkins Act, was stricken out by the Act of June 29, 1906: "In all convictions occurring after the passage of this Act for offenses under said Acts to regulate commerce, whether committed before or after the passage of this Act, or for offenses under this section, no penalty shall be imposed on the convicted party other than the fine prescribed by law, imprisonment wherever now prescribed as part of the penalty being hereby abolished."

Judicial district in which cases may be prosecuted.

Act of officer or agent to be also deemed act of carrier.

Rates filed or participated in by carrier shall, as against such carrier, be deemed legal rate.

† Old law, "there-
to."

[Any person, corporation, or company who shall deliver property for interstate transportation to any common carrier, subject to the provisions of this act, or for whom, as consignor or consignee, any such carrier shall transport property from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or foreign country, who shall knowingly by employee, agent, officer, or otherwise, directly or indirectly, by or through any means or device whatsoever, receive or accept from such common carrier any sum of money or any other valuable consideration as a rebate or offset against the regular charges for transportation of

such property, as fixed by the schedules of rates provided for in this act, shall in addition to any penalty provided by this act forfeit to the United States a sum of money three times the amount of money so received or accepted and three times the value of any other consideration so received or accepted, to be ascertained by the trial court;

Forfeiture, in addition to other prescribed penalty, of three times amount of money and value of consideration illegally received shall be paid to the United States.

Attorney-General to collect such forfeiture by civil action.

and the Attorney-General of the United States is authorized and directed, whenever he has reasonable grounds to believe that any such person, corporation, or company has knowingly received or accepted from any such common carrier any sum of money or other valuable consideration as a rebate or offset as aforesaid, to institute in any court of the United States of competent jurisdiction a civil action to collect the said sum or sums so forfeited as aforesaid; and in the trial of said action all such rebates or other considerations so received or accepted for a period of six years prior to the commencement of the action may be included therein, and the amount recovered shall be three times the total amount of money, or three times the total value of such consideration, so received or accepted, or both, as the case may be.]

Period covered to be six years prior to commencement of action.

Persons interested in matters involved in cases before Interstate Commerce Commission or circuit court may be made parties and shall be subject to orders or decrees.

SEC. 2. That in any proceeding for the enforcement of the provisions of the statutes relating to interstate commerce, whether such proceedings be instituted before the Interstate Commerce Commission or be begun originally in any circuit court of the United States, it shall be lawful to include as parties, in addition to the carrier, all persons interested in or affected by the rate, regulation, or practice under consideration, and inquiries, investigations, orders, and decrees may be made with reference to and against such additional parties in the same manner, to the same extent, and subject to the same provisions as are or shall be authorized by law with respect to carriers.

1 SEC. 3. That whenever the Interstate Commerce Com-
 2 mission shall have reasonable ground for belief that any
 3 common carrier is engaged in the carriage of passengers
 4 or freight traffic between given points at less than the
 5 published rates on file, or is committing any discrimina-
 6 tions forbidden by law, a petition may be presented alleg-
 7 ing such facts to the circuit court of the United States
 8 sitting in equity having jurisdiction; and when the act
 9 complained of is alleged to have been committed or as
 10 being committed in part in more than one judicial district
 11 or State, it may be dealt with, inquired of, tried, and
 12 determined in either such judicial district or State,
 13 whereupon it shall be the duty of the court summar-
 14 ily to inquire into the circumstances, upon such notice
 15 and in such manner as the court shall direct and with-
 16 out the formal pleadings and proceedings applicable
 17 to ordinary suits in equity, and to make such other
 18 persons or corporations parties thereto as the court
 19 may deem necessary, and upon being satisfied of the
 20 truth of the allegations of said petition said court shall
 21 enforce an observance of the published tariffs or direct
 22 and require a discontinuance of such discrimination by
 23 proper orders, writs, and process, which said orders, writs,
 24 and process may be enforceable as well against the parties
 25 interested in the traffic as against the carrier, subject to
 26 the right of appeal as now provided by law. It shall be
 27 the duty of the several district attorneys of the United
 28 States, whenever the Attorney-General shall direct, either
 29 of his own motion or upon the request of the Interstate
 30 Commerce Commission, to institute and prosecute such
 31 proceedings, and the proceedings provided for by this act
 32 shall not preclude the bringing of suit for the recovery
 33 of damages by any party injured, or any other action pro-
 34 vided by said act approved February fourth, eighteen hun-
 35 dred and eighty-seven, entitled "An act to regulate com-
 36 merce and the acts amendatory thereof." And in proceed-
 37 ings under this act and the acts to regulate commerce the
 38 said courts shall have the power to compel the attendance
 39 of witnesses, both upon the part of the carrier and the ship-
 40 per, who shall be required to answer on all subjects relat-
 41 ing directly or indirectly to the matter in controversy,
 42 and to compel the production of all books and papers, both
 43 of the carrier and the shipper, which relate directly or indi-
 44 rectly to such transaction; the claim that such testimony
 45 or evidence may tend to criminate the person giving such

Proceedings to
 enjoin or restrain
 departures from
 published rates
 or any discrimi-
 nation prohib-
 ited by law
 against carriers
 and parties inter-
 ested in traffic.

Such proceed-
 ings shall not
 prevent actions
 for recovery of
 damages or other
 action author-
 ized by act to
 regulate com-
 merce or amend-
 ments thereof.

Compulsory
 attendance and
 testimony of wit-
 nesses and pro-
 duction of books
 and papers.

Immunity to
 testifying wit-
 nesses.

Expediting act
of Feb. 11, 1903,
to apply in cases
prosecuted under
direction of At-
torney-General
in name of Inter-
state Commerce
Commission.

evidence shall not excuse such person from testifying or
such corporation producing its books and papers, but no
person shall be prosecuted or subjected to any penalty or
That the provisions of an act entitled "An act to expedite
thing concerning which he may testify or produce evidence,
documentary or otherwise, in such proceeding: *Provided*,
That the provisions of an act entitled "An act to expedite
the hearing and determination of suits in equity pending or
hereafter brought under the act of July second, eighteen
hundred and ninety, entitled 'An act to protect trade
and commerce against unlawful restraints and monopolies,'
'An act to regulate commerce,' approved February fourth,
eighteen hundred and eighty-seven, or any other acts hav-
ing a like purpose that may be hereafter enacted, approved
February eleventh, nineteen hundred and three," shall
apply to any case prosecuted under the direction of the
Attorney-General in the name of the Interstate Commerce
Commission.

Conflicting
laws repealed.

SEC. 4. That all acts and parts of acts in conflict with
the provisions of this act are hereby repealed, but such
repeal shall not affect causes now pending, nor rights
which have already accrued, but such causes shall be pros-
ecuted to a conclusion and such rights enforced in a man-
ner heretofore provided by law and as modified by the
provisions of this act.

SEC. 5. That this act shall take effect from its passage.
Public, No. 103, approved February 19, 1903.
(*See additional provisions in act of June 29, 1906, p. 32.*)

AN ACT To expedite the hearing and determination of suits in equity
pending or hereafter brought under the act of July second, eight-
een hundred and ninety, entitled "An act to protect trade and
commerce against unlawful restraints and monopolies," "An act to
regulate commerce," approved February fourth, eighteen hundred
and eighty-seven, or any other acts having a like purpose that may
be hereafter enacted.

Expedition of
cases.

Be it enacted by the Senate and House of Representatives
of the United States of America in Congress assembled, That
in any suit in equity pending or hereafter brought in
any circuit court of the United States under the act
entitled "An act to protect trade and commerce against
unlawful restraints and monopolies," approved July sec-
ond, eighteen hundred and ninety, "An act to regulate
commerce," approved February fourth, eighteen hundred

1 and eighty-seven, or any other acts having a like purpose
 2 that hereafter may be enacted, wherein the United States
 3 is complainant, the Attorney-General may file with the
 4 clerk of such court a certificate that, in his opinion, the
 5 case is of general public importance, a copy of which shall
 6 be immediately furnished by such clerk to each of the cir-
 7 cuit judges of the circuit in which the case is pending.
 8 Thereupon such case shall be given precedence over others
 9 and in every way expedited, and be assigned for hearing
 10 at the earliest practicable day, before not less than three **Hearing before**
 11 of the circuit judges of said circuit, if there be three or **three judges.**
 12 more; and if there be not more than two circuit judges,
 13 then before them and such district judge as they may
 14 select. In the event the judges sitting in such case shall
 15 be divided in opinion, the case shall be certified to the **Review by**
 16 Supreme Court for review in like manner as if taken there **Supreme Court**
 17 by appeal as hereinafter provided. **on certificate.**

18 SEC. 2. That in every suit in equity pending or hereafter **Appeal to Su-**
 19 brought in any circuit court of the United States under **preme Court.**

20 any of said acts, wherein the United States is complain-
 21 ant, including cases submitted but not yet decided, an
 22 appeal from the final decree of the circuit court will lie
 23 only to the Supreme Court and must be taken within sixty
 24 days from the entry thereof: *Provided*, That in any case **Exception.**
 25 where an appeal may have been taken from the final decree
 26 of a circuit court to the circuit court of appeals before this
 27 act takes effect, the case shall proceed to a final decree
 28 therein, and an appeal may be taken from such decree to
 29 the Supreme Court in the manner now provided by law.

30 Public No. 82, approved February 11, 1903.

AN ACT Supplementary to the act of July first, eighteen hundred and
 sixty-two, entitled "An act to aid in the construction of a railroad
 and telegraph line from the Missouri River to the Pacific Ocean, and
 to secure to the Government the use of the same for postal, military,
 and other purposes," and also of the act of July second, eighteen
 hundred and sixty-four, and other acts amendatory of said first-
 named act.

31 *Be it enacted by the Senate and House of Representatives*
 32' *of the United States of America in Congress assembled*, That
 33 all railroad and telegraph companies to which the United
 34 States has granted any subsidy in lands or bonds or loan of **Government**
 35 credit for the construction of either railroad or telegraph **aided railroad**
 36 lines, which, by the acts incorporating them, or by any act **and telegraph**
 37 amendatory or supplementary thereto, are required to con- **lines must them-**
 selves maintain
 and operate.

struct, maintain, or operate telegraph lines, and all companies engaged in operating said railroad or telegraph lines shall forthwith and henceforward, by and through their own respective corporate officers and employees, maintain and operate, for railroad, Governmental, commercial, and all other purposes, telegraph lines, and exercise by themselves alone all the telegraph franchises conferred upon them and obligations assumed by them under the acts making the grants as aforesaid.

Connecting telegraph lines.

SEC. 2. That whenever any telegraph company which shall have accepted the provisions of title sixty-five of the Revised Statutes shall extend its line to any station or office of a telegraph line belonging to any one of said railroad or telegraph companies, referred to in the first section of this act, said telegraph company so extending its line shall have the right and said railroad or telegraph company shall allow the line of said telegraph company so extending its line to connect with the telegraph line of said railroad or telegraph company to which it is extended at the place where their lines may meet, for the prompt and convenient interchange of telegraph business between said companies; and such railroad and telegraph companies, referred to in the first section of this act, shall so operate their respective telegraph lines as to afford equal facilities to all, without discrimination in favor of or against any person, company, or corporation whatever, and shall receive, deliver, and exchange business with connecting telegraph lines on equal terms, and affording equal facilities, and without discrimination for or against any one of such connecting lines; and such exchange of business shall be on terms just and equitable.

Equal facilities required.

Complaints to Interstate Commerce Commission.

SEC. 3. That if any such railroad or telegraph company referred to in the first section of this act, or company operating such railroad or telegraph line shall refuse or fail, in whole or in part, to maintain, and operate a telegraph line as provided in this act and acts to which this is supplementary, for the use of the Government or the public, for commercial and other purposes, without discrimination, or shall refuse or fail to make or continue such arrangements for the interchange of business with any connecting telegraph company, then any person, company, corporation, or connecting telegraph company may apply for relief to the Interstate Commerce Commission, whose duty it shall thereupon be, under such rules and regulations as said

Duties of the Commission where complaint is made.

Commission may prescribe, to ascertain the facts, and determine and order what arrangement is proper to be made

1 in the particular case, and the railroad or telegraph com-
 2 pany concerned shall abide by and perform such order; and
 3 it shall be the duty of the Interstate Commerce Commission,
 4 when such determination and order are made, to notify the
 5 parties concerned, and, if necessary, enforce the same by
 6 writ of mandamus in the courts of the United States, in the
 7 name of the United States, at the relation of either of said
 8 Interstate Commerce Commissioners: *Provided*, That the
 9 said Commissioners may institute any inquiry, upon their
 10 own motion, in the same manner and to the same effect as **Commission may institute in-
 quires on its
 own motion.**
 11 though complaint had been made.

12 SEC. 4. That in order to secure and preserve to the
 13 United States the full value and benefit of its liens upon **Duty of the At-
 torney-General
 under this act.**
 14 all the telegraph lines required to be constructed by and
 15 lawfully belonging to said railroad and telegraph compa-
 16 nies referred to in the first section of this act, and to have
 17 the same possessed, used, and operated in conformity with
 18 the provisions of this act and of the several acts to which
 19 this act is supplementary, it is hereby made the duty of
 20 the Attorney-General of the United States, by proper
 21 proceedings, to prevent any unlawful interference with
 22 the rights and equities of the United States under this
 23 act, and under the acts hereinbefore mentioned, and under
 24 all acts of Congress relating to such railroads and tele-
 25 graph lines, and to have legally ascertained and finally
 26 adjudicated all alleged rights of all persons and corpora-
 27 tions whatever claiming in any manner any control or
 28 interest of any kind in any telegraph lines or property,
 29 or exclusive rights of way upon the lands of said railroad
 30 companies, or any of them, and to have all contracts and
 31 provisions of contracts set aside and annulled which have
 32 been unlawfully and beyond their powers entered into by
 33 said railroad or telegraph companies, or any of them, with
 34 any other person, company, or corporation.

35 SEC. 5. That any officer or agent of said railroad or **Penalties for
 failure to comply
 with the provi-
 sions of this act
 or the orders of
 the Interstate
 Commerce Com-
 mission.**
 36 telegraph companies, or of any company operating the
 37 railroads and telegraph lines of said companies, who shall
 38 refuse or fail to operate the telegraph lines of said railroad
 39 or telegraph companies under his control, or which he is
 40 engaged in operating, in the manner directed in this act
 41 and by the acts to which it is supplementary, or who shall
 42 refuse or fail, in such operation and use, to afford and
 43 secure to the Government and the public equal facilities,
 44 or to secure to each of said connecting telegraph lines
 45 equal advantages and facilities in the interchange of busi-

ness, as herein provided for, without any discrimination 1
 whatever for or adverse to the telegraph line of any or 2
 either of said connecting companies, or shall refuse to 3
 abide by, or perform and carry out within a reasonable time 4
 the order or orders of the Interstate Commerce Commis- 5
 sion, shall in every such case of refusal or failure be guilty 6
 of a misdemeanor, and, on conviction thereof, shall in 7
 every such case be fined in a sum not exceeding one thou- 8
 sand dollars, and may be imprisoned not less than six 9
 months; and in every such case of refusal or failure the 10
 party aggrieved may not only cause the officer or agent 11
 guilty thereof to be prosecuted under the provisions of 12
 this section, but may also bring an action for the damages 13
 sustained thereby against the company whose officer or 14
 agent may be guilty thereof, in the circuit or district court 15
 of the United States in any State or Territory in which 16
 any portion of the road or telegraph line of said company 17
 may be situated; and in case of suit process may be served 18
 upon any agent of the company found in such State or 19
 Territory, and such service shall be held by the court 20
 good and sufficient. 21

**Actions for
damages may
also be brought.**

**Duty of rail-
road and tele-
graph lines sub-
ject to this act to
file copies of
contracts and
a report with
the Commission.**

SEC. 6. That it shall be the duty of each and every one 22
 of the aforesaid railroad and telegraph companies, within 23
 sixty days from and after the passage of this act, to file 24
 with the Interstate Commerce Commission copies of all 25
 contracts and agreements of every description existing 26
 between it and every other person or corporation whatso- 27
 ever in reference to the ownership, possession, maintenance, 28
 control, use, or operation of any telegraph lines, or prop- 29
 erty over or upon its rights of way, and also a report 30
 describing with sufficient certainty the telegraph lines and 31
 property belonging to it, and the manner in which the 32
 same are being then used and operated by it, and the 33
 telegraph lines and property upon its right of way in 34
 which any other person or corporation claims to have a 35
 title or interest, and setting forth the grounds of such 36
 claim, and the manner in which the same are being then 37
 used and operated; and it shall be the duty of each and 38
 every one of said railroad and telegraph companies annu- 39
 ally hereafter to report to the Interstate Commerce Com- 40
 mission, with reasonable fullness and certainty, the nature, 41
 extent, value, and condition of the telegraph lines and 42
 property then belonging to it, the gross earnings, and all 43
 expenses of maintenance, use, and operation thereof, and 44
 its relation and business with all connecting telegraph com- 45

**Annual reports
to the Commis-
sion.**

1 panies during the preceding year, at such time and in such
2 manner as may be required by a system of reports which
3 said Commission shall prescribe; and if any of said rail-
4 road or telegraph companies shall refuse or fail to make
5 such reports or any report as may be called for by said
6 Commission, or refuse to submit its books and records for
7 inspection, such neglect or refusal shall operate as a for-
8 feiture, in each case of such neglect or refusal, of a sum
9 not less than one thousand dollars nor more than five thou-
10 sand dollars, to be recovered by the Attorney-General of
11 the United States, in the name and for the use and benefit
12 of the United States; and it shall be the duty of the Inter-
13 state Commerce Commission to inform the Attorney-
14 General of all such cases of neglect or refusal, whose duty
15 it shall be to proceed at once to judicially enforce the
16 forfeitures hereinbefore provided.

**Penalties for
refusal to make
reports to Com-
mission.**

**Duty of Attor-
ney-General to
prosecute.**

17 SEC. 7. That nothing in this act shall be construed to
18 affect or impair the right of Congress, at any time here-
19 after, to alter, amend, or repeal the said acts hereinbefore
20 mentioned; and this act shall be subject to alteration, amend-
21 ment, or repeal as, in the opinion of Congress, justice or
22 the public welfare may require; and nothing herein con-
23 tained shall be held to deny, exclude, or impair any right
24 or remedy in the premises now existing in the United
25 States, or any authority that the Postmaster-General now
26 has under title sixty-five of the Revised Statutes to fix
27 rates, or, of the Government, to purchase lines as provided
28 under said title, or to have its messages given precedence
29 in transmission.

**Right of Con-
gress to alter,
amend, or repeal.**

**Equity rights of
the Government
preserved.**

30 Public No. 237, approved August 7, 1888.

THE SAFETY APPLIANCE ACTS.

AN ACT To promote the safety of employees and travelers upon rail-
roads by compelling common carriers engaged in interstate com-
merce to equip their cars with automatic couplers and continuous
brakes and their locomotives with driving-wheel brakes, and for
other purposes.

31 *Be it enacted by the Senate and House of Representatives*
32 *of the United States of America in Congress assembled,*
33 That from and after the first day of January, eighteen
34 hundred and ninety-eight, it shall be unlawful for any
35 common carrier engaged in interstate commerce by rail-

**Driving-wheel
and train-brakes.**

road to use on its line any locomotive engine in moving interstate traffic not equipped with a power driving-wheel brake and appliances for operating the train-brake system, or to run any train in such traffic after said date that has not a sufficient number of cars in it so equipped with power or train brakes that the engineer on the locomotive drawing such train can control its speed without requiring brakemen to use the common hand brake for that purpose.

Automatic couplers.

SEC. 2. That on and after the first day of January, eighteen hundred and ninety-eight, it shall be unlawful for any such common carrier to haul or permit to be hauled or used on its line any car used in moving interstate traffic not equipped with couplers coupling automatically by impact, and which can be uncoupled without the necessity of men going between the ends of the cars.

When carriers may lawfully refuse to receive cars from connecting lines, or shippers.

SEC. 3. That when any person, firm, company, or corporation engaged in interstate commerce by railroad shall have equipped a sufficient number of its cars so as to comply with the provisions of section one of this act, it may lawfully refuse to receive from connecting lines of road or shippers any cars not equipped sufficiently, in accordance with the first section of this act, with such power or train brakes as will work and readily interchange with the brakes in use on its own cars, as required by this act.

Grab irons and handholds.

SEC. 4. That from and after the first day of July, eighteen hundred and ninety-five, until otherwise ordered by the Interstate Commerce Commission, it shall be unlawful for any railroad company to use any car in interstate commerce that is not provided with secure grab irons or handholds in the ends and sides of each car for greater security to men in coupling and uncoupling cars.

Standard height of drawbars for freight cars.

SEC. 5. That within ninety days from the passage of this act the American Railway Association is authorized hereby to designate to the Interstate Commerce Commission the standard height of drawbars for freight cars, measured perpendicular from the level of the tops of the rails to the centers of the drawbars, for each of the several gauges of railroads in use in the United States, and shall fix a maximum variation from such standard height to be allowed between the drawbars of empty and loaded cars. Upon their determination being certified to the Interstate Commerce Commission, said commission shall at once give notice of the standard fixed upon to all common carriers, owners, or lessees engaged in interstate commerce in the United States by such means as the Commission may deem

1 proper. But should said association fail to determine a
2 standard as above provided, it shall be the duty of the
3 Interstate Commerce Commission to do so, before July
4 first, eighteen hundred and ninety-four, and immediately
5 to give notice thereof as aforesaid. And after July first,
6 eighteen hundred and ninety-five, no cars, either loaded or
7 unloaded, shall be used in interstate traffic which do not
8 comply with the standard above provided for.

9 SEC. 6. (*As amended April 1, 1896.*) That any such
10 common carrier using any locomotive engine, running any
11 train, or hauling or permitting to be hauled or used on its
12 line any car in violation of any of the provisions of this
13 act, shall be liable to a penalty of one hundred dollars for
14 each and every such violation, to be recovered in a suit or
15 suits to be brought by the United States district attorney
16 in the district court of the United States having jurisdic-
17 tion in the locality where such violation shall have been
18 committed; and it shall be the duty of such district attor-
19 ney to bring such suits upon duly verified information
20 being lodged with him of such violation having occurred;
21 and it shall also be the duty of the Interstate Commerce
22 Commission to lodge with the proper district attorneys in-
23 formation of any such violations as may come to its knowl-
24 edge: *Provided*, That nothing in this act contained shall
25 apply to trains composed of four-wheel cars or to trains
26 composed of eight-wheel standard logging cars where the
27 height of such car from top of rail to center of coupling
28 does not exceed twenty-five inches, or to locomotives used
29 in hauling such trains when such cars or locomotives are
30 exclusively used for the transportation of logs.

Penalty for violation of the provisions of this act.

Duty of United States District Attorney.

Duty of Interstate Commerce Commission.

Exceptions to the act.

31 SEC. 7. That the Interstate Commerce Commission may
32 from time to time upon full hearing and for good cause
33 extend the period within which any common carrier shall
34 comply with the provisions of this act.

Power of Interstate Commerce Commission to extend time of carriers to comply with this act.

35 SEC. 8. That any employee of any such common carrier
36 who may be injured by any locomotive, car, or train in use
37 contrary to the provision of this act shall not be deemed
38 thereby to have assumed the risk thereby occasioned,
39 although continuing in the employment of such carrier
40 after the unlawful use of such locomotive, car, or train
41 had been brought to his knowledge.

Employees not deemed to assume risk of employment.

42 Public No. 113, approved March 2, 1893, amended
43 April 1, 1896.

NOTE. — Prescribed standard height of drawbars: Standard-gauge roads, 34½ inches; narrow-gauge roads, 26 inches; maximum variation between loaded and empty cars, 3 inches.

AN ACT To amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March second, eighteen hundred and ninety-three, and amended April first, eighteen hundred and ninety-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the provisions and requirements of the act entitled

Safety appli-
ance act of Mar.
2, 1893, as amend-
ed by act of Apr.
1, 1896, shall ap-
ply in territories
and District of
Columbia.

Provisions of
safety appliance
acts as to coup-
lers shall apply
in all cases when
couplers are
brought to-
gether.

Safety appli-
ance acts shall
apply to all
equipment of
any railroad en-
gaged in inter-
state commerce.

Exceptions.

Power or train
brakes on not
less than 50 per
cent of cars in
trains shall be
used and oper-
ated.

Commission
may increase
minimum per-
centage of power
or train brake
cars to be used.

"An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes, and their locomotives with driving-wheel brakes, and for other purposes," approved March second, eighteen hundred and ninety-three, and amended April first, eighteen hundred and ninety-six, shall be held to apply to common carriers by railroads in the Territories and the District of Columbia and shall apply in all cases, whether or not the couplers brought together are of the same kind, make, or type; and the provisions and requirements hereof and of said acts relating to train brakes, automatic couplers, grab irons, and the height of drawbars shall be held to apply to all trains, locomotives, tenders, cars, and similar vehicles used on any railroad engaged in interstate commerce, and in the Territories and the District of Columbia, and to all other locomotives, tenders, cars, and similar vehicles used in connection therewith, excepting those trains, cars, and locomotives exempted by the provisions of section six of said act of March second, eighteen hundred and ninety-three, as amended by the act of April first, eighteen hundred and ninety-six, or which are used upon street railways.

SEC. 2. That whenever, as provided in said act, any train is operated with power or train brakes, not less than fifty per centum of the cars in such train shall have their brakes used and operated by the engineer of the locomotive drawing such train; and all power-braked cars in such train which are associated together with said fifty per centum shall have their brakes so used and operated; and, to more fully carry into effect the objects of said act, the Interstate Commerce Commission may, from time to time, after full hearing, increase the minimum percentage of cars in any train required to be operated with power or train brakes which must have their brakes used and oper-

1 ated as aforesaid; and failure to comply with any such
2 requirement of the said Interstate Commerce Commission
3 shall be subject to the like penalty as failure to comply **Penalty.**
4 with any requirement of this section.

5 SEC. 3. That the provisions of this act shall not take **Act effective**
6 effect until September first, nineteen hundred and three. **Sept. 1, 1903.**
7 Nothing in this act shall be held or construed to relieve
8 any common carrier, the Interstate Commerce Commission,
9 or any United States district attorney from any of the pro- **Provisions,**
10 visions, powers, duties, liabilities, or requirements of said **powers, duties,**
11 act of March second, eighteen hundred and ninety-three, **requirements,**
12 as amended by the act of April first, eighteen hundred **and liabilities**
13 and ninety-six; and all of the provisions, powers, duties, **specified in**
14 requirements, and liabilities of said act of March second, **act of Mar. 2,**
15 eighteen hundred and ninety-three, as amended by the **1893, and act of**
16 act of April first, eighteen hundred and ninety-six, shall, **Apr. 1, 1896, ap-**
17 except as specifically amended by this act, apply to this act. **ply to this act.**
18 Public, No. 133, approved March 2, 1903.

19 Sundry civil act (appropriations) of June 28, 1902, au- **Employment of**
20 thorizes Commission to employ "inspectors to execute **inspectors.**
21 and enforce the requirements of the safety-appliance act."

JOINT RESOLUTION Directing the Interstate Commerce Commis-
sion to investigate and report on block-signal systems and appli-
ances for the automatic control of railway trains.

22 *Resolved by the Senate and House of Representatives of*
23 *the United States of America in Congress assembled, That* **Commission di-**
24 the Interstate Commerce Commission be, and it is hereby, **rected to investi-**
25 directed to investigate and report on the use of and neces- **gate and report**
26 sity for block-signal systems and appliances for the au- **on necessity for**
27 tomatic control of railway trains in the United States. **block signals.**
28 For this purpose the Commission is authorized to employ
29 persons who are familiar with the subject, and may use
30 such of its own employees as are necessary to make a
31 thorough examination into the matter.

32 In transmitting its report to the Congress the Commis- **Commission to**
33 sion shall recommend such legislation as to the Commission **take testimony**
34 seems advisable. **and make recom-**
mendations.

35 To carry out and give effect to the provisions of this
36 resolution the Commission shall have power to issue sub-
37 pœnas, administer oaths, examine witnesses, require the
38 production of books and papers, and receive depositions

taken before any proper officer in any State or Territory 1
of the United States. 2

Public Resolution No. 46, approved June 30, 1906. 3

AN ACT To grant the right of way through the Oklahoma Territory
and the Indian Territory to the Enid and Anadarko Railway Com-
pany, and for other purposes.

* * * * *

SEC. 18. That when in any case two or more railroads 4
crossing each other at a common grade shall, by a system 5
of interlocking or automatic signals, or by any works or 6
fixtures to be erected by them, render it safe for engines 7
and trains to pass over such crossing without stopping, 8
and such interlocking or automatic signals or works or 9
fixtures shall be approved by the Interstate Commerce 10
Commissioners, then, in that case, it is hereby made law- 11
ful for the engines and trains of such railroad or railroads 12
to pass over such crossing without stopping, any law or 13
the provisions of any law to the contrary notwithstanding; 14
and when two or more railroads cross each other at a com- 15
mon grade, either of such roads may apply to the Inter- 16
state Commerce Commissioners for permission to introduce 17
upon both of said railroads some system of interlocking or 18
automatic signals or works or fixtures rendering it safe 19
for engines and trains to pass over such crossings without 20
stopping, and it shall be the duty of said Interstate Com- 21
merce Commissioners, if the system of works and fixtures 22
which it is proposed to erect by said company are, in the 23
opinion of the Commission, sufficient and proper, to grant 24
such permission. 25

Approval by
Commission of
interlocking or
automatic sig-
nals at crossings.

Common grade
crossing.

Notice of in-
tent to use sig-
nals at crossings.

Division of
cost.

SEC. 19. That any railroad company which has obtained 26
permission to introduce a system of interlocking or auto- 27
matic signals at its crossing at a common grade with any 28
other railroad, as provided in the last section, may, after 29
thirty days' notice in writing, to such other railroad com- 30
pany, introduce and erect such interlocking or automatic 31
signal or fixtures; and if such railroad company, after 32
such notification, refuses to join with the railroad com- 33
pany giving notice in the construction of such works or 34
fixtures, it shall be lawful for said company to enter upon 35
the right of way and tracks of such second company, in 36
such manner as to not unnecessarily impede the operation 37
of such road, and erect such works and fixtures, and may 38
recover in any action at law from such second company 39

1 one-half of the total cost of erecting and maintaining such
 2 interlocking or automatic signals or works or fixtures on
 3 both of said roads.

* * * * *

4 Public No. 26, approved February 28, 1902.

AN ACT Requiring common carriers engaged in interstate commerce
 to make full report of all accidents to the Interstate Commerce
 Commission.

5 *Be it enacted by the Senate and House of Representa-*
 6 *tives of the United States of America in Congress assem-*
 7 *bled,* It shall be the duty of the general manager, super-
 8 intendent, or other proper officer of every common carrier
 9 engaged in interstate commerce by railroad to make to
 10 the Interstate Commerce Commission, at its office in Wash-
 11 ington, District of Columbia, a monthly report, under
 12 oath, of all collisions of trains or where any train or part
 13 of a train accidentally leaves the track, and of all accidents
 14 which may occur to its passengers or employees while in
 15 the service of such common carrier and actually on duty,
 16 which report shall state the nature and causes thereof,
 17 and the circumstances connected therewith.

Monthly re-
ports of railway
accidents.

18 SEC. 2. That any common carrier failing to make such
 19 report within thirty days after the end of any month shall
 20 be deemed guilty of a misdemeanor and, upon conviction
 21 thereof by a court of competent jurisdiction, shall be pun-
 22 ished by a fine of not more than one hundred dollars for
 23 each and every offense and for every day during which it
 24 shall fail to make such report after the time herein specified
 25 for making the same.

Failure to make
report within
thirty days after
end of any month
a misdemeanor.

Penalty.

26 SEC. 3. That neither said report nor any part thereof
 27 shall be admitted as evidence or used for any purpose
 28 against such railroad so making such report in any suit or
 29 action for damages growing out of any matter mentioned
 30 in said report.

Reports not to
be used in evi-
dence against the
carrier.

31 SEC. 4. That the Interstate Commerce Commission is
 32 authorized to prescribe for such common carriers a method
 33 and form for making the reports in the foregoing section
 34 provided.

Form of report.

35 Public No. 171, approved March 3, 1901.

JOINT RESOLUTION Instructing the Interstate Commerce Commission to make examinations into the subject of railroad discriminations and monopolies in coal and oil, and report on the same from time to time.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That

Commission
instructed to ex-
amine into sub-
ject of railroad
discriminations
in coal and oil,
and make report
from time to
time.

the Interstate Commerce Commission be, and is hereby, authorized and instructed immediately to inquire, investigate, and report to Congress, or to the President when Congress is not in session, from time to time as the investigation proceeds —

**Interest of car-
riers in coal and
oil lands or coal
and oil traffic.**

First. Whether any common carriers by railroad, subject to the interstate-commerce act, or either of them, own or have any interest in, by means of stock ownership in other corporations or otherwise, any of the coal or oil which they, or either of them, directly or through other companies which they control or in which they have an interest, carry over their or any of their lines as common carriers, or in any manner own, control, or have any interest in coal lands or properties or oil lands or properties.

**Interest of rail-
road officials in
coal and oil lands
or coal and oil
traffic.**

Second. Whether the officers of any of the carrier companies aforesaid, or any of them, or any person or persons charged with the duty of distributing cars or furnishing facilities to shippers are interested, either directly or indirectly, by means of stock ownership or otherwise in corporations or companies owning, operating, leasing, or otherwise interested in any coal mines, coal properties, or coal traffic, oil, oil properties, or oil traffic over the roads with which they or any of them are connected or by which they or any of them are employed.

Third. Whether there is any contract, combination in the form of trust, or otherwise, or conspiracy in restraint of trade or commerce among the several States, in which any common carrier engaged in the transportation of coal or oil is interested, or to which it is a party; and whether any such common carrier monopolizes or attempts to monopolize, or combines or conspires with any other carrier, company or companies, person or persons to monopolize any part of the trade or commerce in coal or oil, or traffic therein among the several States or with foreign nations, and whether or not, and if so, to what extent, such carriers, or any of them, limit or control, directly or indirectly, the output of coal mines or the price of coal and oil fields or the price of oil.

**Combination
or trust in re-
straint of trade,
or monopoly in
coal or oil traffic.**

- 1 Fourth. If the Interstate Commerce Commission shall
 2 find that the facts or any of them set forth in the three
 3 paragraphs above do exist, then that it be further required
 4 to report as to the effect of such relationship, ownership,
 5 or interest in coal or coal properties and coal traffic, or
 6 oil, oil properties, or oil traffic aforesaid, or such con-
 7 tracts or combinations in form of trust or otherwise, or
 8 conspiracy or such monopoly or attempt to monopolize or
 9 combine or conspire as aforesaid, upon such person or
 10 persons as may be engaged independently of any other
 11 persons in mining coal or producing oil and shipping the
 12 same, or other products, who may desire to so engage, or
 13 upon the general public as consumers of such coal or oil.
 14 Fifth. That said Commission be also required to inves-
 15 tigate and report the system of car supply and distribu-
 16 tion in effect upon the several railway lines engaged in
 17 the transportation of coal or oil as aforesaid, and whether
 18 said systems are fair and equitable, and whether the same
 19 are carried out fairly and properly; and whether said car-
 20 riers, or any of them discriminate against shippers or
 21 parties wishing to become shippers over their several
 22 lines, either in the matter of distribution of cars or in
 23 furnishing facilities or instrumentalities connected with
 24 receiving, forwarding, or carrying coal or oil as aforesaid.
 25 Sixth. That said Commission be also required to report
 26 as to what remedy it can suggest to cure the evils above
 27 set forth, if they exist.
 28 Seventh. That said Commission be also required to re-
 29 port any facts or conclusions which it may think pertinent
 30 to the general inquiry above set forth.
 31 Eighth. That said Commission be required to make this
 32 investigation at its earliest possible convenience and to
 33 furnish the information above required from time to time
 34 and as soon as it can be done consistent with the perform-
 35 ance of its public duty.
 36 Public Res. No. 8, approved March 7, 1906.

Commission to
make report.

System of car
supply and dis-
tribution.

Commission to
suggest remedy
and report facts
and conclusions.

Information to
be furnished
from time to
time.

JOINT RESOLUTION Amending joint resolution instructing the In-
 terstate Commerce Commission to make examinations into the
 subject of railroad discriminations and monopolies, and report on
 the same from time to time, approved March seventh, nineteen hun-
 dred and six.

37 *Resolved by the Senate and House of Representatives of*
 38 *the United States of America in Congress assembled, That*
 39 *joint resolution instructing the Interstate Commerce Com-*

mission to make examinations into the subject of railroad 1
discriminations and monopolies, and report on the same 2
from time to time, approved March seventh, nineteen hun- 3
dred and six, is hereby amended by adding the following 4
thereto: 5

Commission
given full power
to compel testi-
mony in coal
and oil investi-
gations.

Ninth. To enable the Commission to perform the duties 6
required and accomplish the purposes declared herein, the 7
Commission shall have and exercise under this joint reso- 8
lution the same power and authority to administer oaths, 9
to subpoena and compel the attendance and testimony of 10
witnesses and the production of documentary evidence, 11
and to obtain full information, which said Commission now 12
has under the act to regulate commerce, approved Febru- 13
ary fourth, eighteen hundred and eighty-seven, and acts 14
amendatory thereof or supplementary thereto now in 15
force or may have under any like statute taking effect 16
hereafter. All the requirements, obligations, liabilities, 17
and immunities imposed or conferred by said act to regu- 18
late commerce and by "An act in relation to testimony 19
before the Interstate Commerce Commission in cases under 20
or connected with an act entitled 'An act to regulate com- 21
merce,' approved February fourth, eighteen hundred and 22
eighty-seven, and amendments thereto," approved Febru- 23
ary eleventh, eighteen hundred and ninety-three, shall also 24
apply to all persons who may be subpoenaed to testify as 25
witnesses or to produce documentary evidence in pursu- 26
ance of the authority herein conferred. 27

Public Res. No. 11, approved March 21, 1906. 28

AN ACT Concerning carriers engaged in Interstate Commerce and
their employees.

*Be it enacted by the Senate and House of Representatives 29
of the United States of America in Congress assembled, That 30*

Adjustment of
controversies be-
tween railroads
and their em-
ployees.
Scope of act.

the provisions of this act shall apply to any common car- 31
rier or carriers and their officers, agents, and employees, 32
except masters of vessels and seamen, as defined in section 33
forty-six hundred and twelve, Revised Statutes of the 34
United States, engaged in the transportation of passen- 35
gers or property wholly by railroad, or partly by railroad 36
and partly by water, for a continuous carriage or shipment, 37
from one State or Territory of the United States, or the 38
District of Columbia, to any other State or Territory of 39
the United States, or the District of Columbia, or from 40
any place in the United States to an adjacent foreign 41

1 country, or from any place in the United States through
2 a foreign country to any other place in the United States.

3 The term "railroad" as used in this act shall include all
4 bridges and ferries used or operated in connection with
5 any railroad, and also all the road in use by any corpora-
6 tion operating a railroad, whether owned or operated
7 under a contract, agreement, or lease; and the term
8 "transportation" shall include all instrumentalities of
9 shipment or carriage.

Terms.

— "railroad."

— "transporta-
tion."

10 The term "employees" as used in this act shall include
11 all persons actually engaged in any capacity in train
12 operation or train service of any description, and notwith-
13 standing that the cars upon or in which they are employed
14 may be held and operated by the carrier under lease or
15 other contract: *Provided, however,* That this act shall not
16 be held to apply to employees of street railroads and shall
17 apply only to employees engaged in railroad train service.
18 In every such case the carrier shall be responsible for the
19 acts and defaults of such employees in the same manner
20 and to the same extent as if said cars were owned by it
21 and said employees directly employed by it, and any pro-
22 visions to the contrary of any such lease or other contract
23 shall be binding only as between the parties thereto and
24 shall not affect the obligations of said carrier either to the
25 public or to the private parties concerned.

— "em p l o y-
ees."

Street railroads
excepted.

Responsibility
of carrier on
leased cars.

26 SEC. 2. That whenever a controversy concerning wages,
27 hours of labor, or conditions of employment shall arise
28 between a carrier subject to this act and the employees of
29 such carrier, seriously interrupting or threatening to in-
30 terrupt the business of said carrier, the chairman of the
31 Interstate Commerce Commission and the Commissioner
32 of Labor shall, upon the request of either party to the
33 controversy, with all practicable expedition, put them-
34 selves in communication with the parties to such contro-
35 versy, and shall use their best efforts, by mediation and
36 conciliation, to amicably settle the same; and if such efforts
37 shall be unsuccessful, shall at once endeavor to bring about
38 an arbitration of said controversy in accordance with the
39 provisions of this act.

Chairman of
Interstate Com-
merce Commis-
sion and Com-
missioner of La-
bor to mediate
differences.

40 SEC. 3. That whenever a controversy shall arise between
41 a carrier subject to this act and the employees of such car-
42 rier which can not be settled by mediation and conciliation
43 in the manner provided in the preceding section, said con-
44 troversy may be submitted to the arbitration of a board
45 of three persons, who shall be chosen in the manner fol-

Failure to ad-
just.

Board to arbitrate. How selected.

lowing: One shall be named by the carrier or employer directly interested; the other shall be named by the labor organization to which the employees directly interested belong, or, if they belong to more than one, by that one of them which specially represents employees of the same grade and class and engaged in services of the same nature as said employees so directly interested: *Provided, however,* That when a controversy involves and affects the interests of two or more classes and grades of em-

Controversies affecting different labor organizations.

ployees belonging to different labor organizations, such arbitrator shall be agreed upon and designated by the concurrent action of all such labor organizations; and in cases where the majority of such employees are not members of any labor organization, said employees may by a majority vote select a committee of their own number, which committee shall have the right to select the arbitrator on behalf of said employees. The two thus chosen shall

Third arbitrator.

select the third commissioner of arbitration; but, in the event of their failure to name such arbitrator within five days after their first meeting, the third arbitrator shall be named by the commissioners named in the preceding section. A majority of said arbitrators shall be competent to make a valid and binding award under the provisions hereof.

Form of submission.

The submission shall be in writing, shall be signed by the employer and by the labor organization representing the employees, shall specify the time and place of meeting of said board of arbitration, shall state the questions to be decided, and shall contain appropriate provisions by which the respective parties shall stipulate, as follows:

Stipulations of submission. Time of hearings.

First. That the board of arbitration shall commence their hearings within ten days from the date of the appointment of the third arbitrator, and shall find and file their award, as provided in this section, within thirty days from the date of the appointment of the third arbitrator; and that pending the arbitration the status existing immediately prior to the dispute shall not be changed:

Status of controversy pending arbitration.

Provided, That no employee shall be compelled to render personal service without his consent.

Involuntary service.

Second. That the award and the papers and proceedings, including the testimony relating thereto certified under the hands of the arbitrators and which shall have the force and effect of a bill of exceptions, shall be filed in the clerk's office of the circuit court of the United States for the district wherein the controversy arises or the arbitration is

Filing of award in the United States circuit court.

1 entered into, and shall be final and conclusive upon both
2 parties, unless set aside for error of law apparent on the
3 record.

4 Third. That the respective parties to the award will
5 each faithfully execute the same, and that the same may
6 be specifically enforced in equity so far as the powers of
7 a court of equity permit: *Provided*, That no injunction
8 or other legal process shall be issued which shall compel
9 the performance by any laborer against his will of a con-
10 tract for personal labor or service.

**Enforcing
award.**

**Involuntary
service.**

11 Fourth. That employees dissatisfied with the award
12 shall not by reason of such dissatisfaction quit the service
13 of the employer before the expiration of three months
14 from and after the making of such award without giving
15 thirty days' notice in writing of their intention so to quit.
16 Nor shall the employer dissatisfied with such award dis-
17 miss any employee or employees on account of such dis-
18 satisfaction before the expiration of three months from
19 and after the making of such award without giving thirty
20 days' notice in writing of his intention so to discharge.

**Notice of ter-
mination of ser-
vice.**

21 Fifth. That said award shall continue in force as between
22 the parties thereto for the period of one year after the
23 same shall go into practical operation, and no new arbi-
24 tration upon the same subject between the same employer
25 and the same class of employees shall be had until the
26 expiration of said one year if the award is not set aside
27 as provided in section four. That as to individual
28 employees not belonging to the labor organization or
29 organizations which shall enter into the arbitration, the
30 said arbitration and the award made therein shall not be
31 binding, unless the said individual employees shall give
32 assent in writing to become parties to said arbitration.

**Continuance
in force of award.**

**Individual em-
ployees not par-
ties not bound by
award.**

33 SEC. 4. That the award being filed in the clerk's office
34 of a circuit court of the United States, as hereinbefore
35 provided, shall go into practical operation, and judgment
36 shall be entered thereon accordingly at the expiration of
37 ten days from such filing, unless within such ten days
38 either party shall file exceptions thereto for matter of law
39 apparent upon the record, in which case said award shall
40 go into practical operation and judgment be entered
41 accordingly when such exceptions shall have been finally
42 disposed of either by said circuit court or on appeal
43 therefrom.

**Exceptions to
award.**

44 At the expiration of ten days from the decision of the
45 circuit court upon exceptions taken to said award, as afore-

**Appeal to cir-
cuit court of ap-
peals.**

said, judgment shall be entered in accordance with said decision unless during said ten days either party shall appeal therefrom to the circuit court of appeals. In such case only such portion of the record shall be transmitted to the appellate court as is necessary to the proper understanding and consideration of the questions of law presented by said exceptions and to be decided.

Record.

The determination of said circuit court of appeals upon said questions shall be final, and being certified by the clerk thereof to said circuit court, judgment pursuant thereto shall thereupon be entered by said circuit court.

Judgment.

If exceptions to an award are finally sustained, judgment shall be entered setting aside the award. But in such case the parties may agree upon a judgment to be entered disposing of the subject-matter of the controversy, which judgment when entered shall have the same force and effect as judgment entered upon an award.

Judgment by agreement.

Powers of arbitration.

SEC. 5. That for the purposes of this act the arbitrators herein provided for, or either of them, shall have power to administer oaths and affirmations, sign subpoenas, require the attendance and testimony of witnesses, and the production of such books, papers, contracts, agreements, and documents material to a just determination of the matters under investigation as may be ordered by the court; and may invoke the aid of the United States courts to compel witnesses to attend and testify and to produce such books, papers, contracts, agreements and documents to the same extent and under the same conditions and penalties as is provided for in the act to regulate commerce, approved February fourth, eighteen hundred and eighty-seven, and the amendments thereto.

Agreement to arbitrate.

SEC. 6. That every agreement of arbitration under this act shall be acknowledged by the parties before a notary public or clerk of a district or circuit court of the United States, and when so acknowledged a copy of the same shall be transmitted to the chairman of the Interstate Commerce Commission, who shall file the same in the office of said Commission.

Filing of agreement in office of Interstate Commerce Commission.

Agreement of individual employees to arbitrate.

Any agreement of arbitration which shall be entered into conforming to this act, except that it shall be executed by employees individually instead of by a labor organization as their representative, shall, when duly acknowledged as herein provided, be transmitted to the chairman of the Interstate Commerce Commission, who shall cause a notice in writing to be served upon the arbi-

1 trators, fixing a time and place for a meeting of said board,
 2 which shall be within fifteen days from the execution of
 3 said agreement of arbitration: *Provided, however,* That
 4 the said chairman of the Interstate Commerce Commission
 5 shall decline to call a meeting of arbitrators under such
 6 agreement unless it be shown to his satisfaction that the
 7 employees signing the submission represent or include a
 8 majority of all employees in the service of the same
 9 employer and of the same grade and class, and that an
 10 award pursuant to said submission can justly be regarded
 11 as binding upon all such employees.

Meeting to be called.

Condition.

12 SEC. 7. That during the pendency of arbitration under
 13 this act it shall not be lawful for the employer, party to
 14 such arbitration, to discharge the employees, parties
 15 thereto, except for inefficiency, violation of law, or neglect
 16 of duty; nor for the organization representing such em-
 17 ployees to order, nor for the employees to unite in, aid,
 18 or abet, strikes against said employer; nor, during a pe-
 19 riod of three months after an award under such an arbitra-
 20 tion, for such employer to discharge any such employees,
 21 except for the causes aforesaid, without giving thirty
 22 days' written notice of an intent so to discharge; nor for
 23 any of such employees, during a like period, to quit the
 24 service of said employer without just cause, without giv-
 25 ing to said employer thirty days' written notice of an
 26 intent so to do; nor for such organization representing
 27 such employees to order, counsel, or advise otherwise.
 28 Any violation of this section shall subject the offending
 29 party to liability for damages: *Provided,* That nothing
 30 herein contained shall be construed to prevent any em-
 31 ployer, party to such arbitration, from reducing the num-
 32 ber of its or his employees whenever in its or his judgment
 33 business necessities require such reduction.

Restrictions on parties during pendency of arbitration.

After award.

Penalty.

Reduction of force for business reasons.

34 SEC. 8. That in every incorporation under the provisions
 35 of chapter five hundred and sixty-seven of the United
 36 States Statutes of eighteen hundred and eighty-five and
 37 eighteen hundred and eighty-six it must be provided in
 38 the articles of incorporation and in the constitution, rules,
 39 and by-laws that a member shall cease to be such by par-
 40 ticipating in or by instigating force or violence against
 41 persons or property during strikes, lockouts, or boycotts,
 42 or by seeking to prevent others from working through
 43 violence, threats, or intimidations. Members of such
 44 incorporations shall not be personally liable for the acts,
 45 debts, or obligations of the corporations, nor shall such

National trade unions.

Forfeiture of membership for violence.

Liabilities.

Appearance of corporations in arbitration proceedings.

corporations be liable for the acts of members or others in violation of law; and such corporations may appear by designated representatives before the board created by this act, or in any suits or proceedings for or against such corporations or their members in any of the Federal courts.

Railroads in hands of Federal receiver. Employees to be heard.

SEC. 9. That whenever receivers appointed by Federal courts are in the possession and control of railroads, the employees upon such railroads shall have the right to be heard in such courts upon all questions affecting the terms and conditions of their employment, through the officers and representatives of their associations, whether incorporated or unincorporated, and no reduction of wages shall be made by such receivers without the authority of the court therefor upon notice to such employees, said

Notice of reduction of wages.

notice to be not less than twenty days before the hearing upon the receivers' petition or application, and to be posted upon all customary bulletin boards along or upon the railway operated by such receiver or receivers.

Prohibition of unjust requirements as conditions to employment.

SEC. 10. That any employer subject to the provisions of this act and any officer, agent, or receiver of such employer who shall require any employee, or any person seeking employment, as a condition of such employment, to enter into an agreement, either written or verbal, not to become or remain a member of any labor corporation, association, or organization; or shall threaten any employee with loss of employment, or shall unjustly discriminate against any employee because of his membership in such a labor corporation, association, or organization; or who shall require any employee or any person seeking employment, as a condition of such employment, to enter into a contract whereby such employee or applicant for employment shall agree to contribute to any fund for charitable,

Attempts to prevent further employment after discharge.

social, or beneficial purposes; to release such employer from legal liability for any personal injury by reason of any benefit received from such fund beyond the proportion of the benefit arising from the employer's contribution to such fund; or who shall, after having discharged an employee, attempt or conspire to prevent such employee from obtaining employment, or who shall, after the quitting of an employee, attempt or conspire to prevent such employee from obtaining employment, is hereby declared to be guilty of a misdemeanor, and, upon conviction thereof in any court of the United States of competent jurisdiction in the district in which such offense was committed, shall

Penalty.

1 be punished for each offense by a fine of not less than one
2 hundred dollars and not more than one thousand dollars.

3 SEC. 11. That each member of said board of arbitration
4 shall receive a compensation of ten dollars per day for the
5 time he is actually employed, and his traveling and other
6 necessary expenses; and a sum of money sufficient to pay
7 the same, together with the traveling and other necessary
8 and proper expenses of any conciliation or arbitration had
9 hereunder, not to exceed ten thousand dollars in any one
10 year, to be approved by the chairman of the Interstate
11 Commerce Commission and audited by the proper account-
12 ing officers of the Treasury, is hereby appropriated for
13 the fiscal years ending June thirtieth, eighteen hundred
14 and ninety-eight, and June thirtieth, eighteen hundred and
15 ninety-nine, out of any money in the Treasury not other-
16 wise appropriated.

**Appropriation
for expenses of
arbitration.**

17 SEC. 12. That the act to create boards of arbitration or
18 commission for settling controversies and differences
19 between railroad corporations and other common carriers
20 engaged in interstate or territorial transportation of prop-
21 erty or persons and their employees, approved October
22 first, eighteen hundred and eighty-eight, is hereby repealed.

Repeal.

23 Public No. 115, approved June 1, 1898.

[PUBLIC—No. 219.]

AN ACT Relating to liability of common carriers in the District of Columbia and Territories and common carriers engaged in commerce between the States and between the States and foreign nations to their employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every common carrier engaged in trade or commerce in the District of Columbia, or in any Territory of the United States, or between the several States, or between any Territory and another, or between any Territory or Territories and any State or States, or the District of Columbia, or with foreign nations, or between the District of Columbia and any State or States or foreign nations, shall be liable to any of its employees, or, in the case of his death, to his personal representative for the benefit of his widow and children, if any, if none, then for his parents, if none, then for his next of kin dependent upon him, for all damages which may result from the negligence of any of its officers, agents, or employees, or by reason of any defect or insufficiency due to its negligence in its cars, engines, appliances, machinery, track, roadbed, ways, or works.

SEC. 2. That in all actions hereafter brought against any common carriers to recover damages for personal injuries to an employee, or where such injuries have resulted in his death, the fact that the employee may have been guilty of contributory negligence shall not bar a recovery where his contributory negligence was slight and that of the employer was gross in comparison, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employee. All questions of negligence and contributory negligence shall be for the jury.

SEC. 3. That no contract of employment, insurance, relief benefit, or indemnity for injury or death entered into by or on behalf of any employee, nor the acceptance of any such insurance, relief benefit, or indemnity by the person entitled thereto, shall constitute any bar or defense to any action brought to recover damages for personal injuries to or death of such employee: *Provided, however,* That upon the trial of such action against any common carrier the defendant may set off therein any sum it has contributed toward any such insurance, relief benefit, or indemnity that may have been paid to the injured employee, or, in case of his death, to his personal representative.

SEC. 4. That no action shall be maintained under this Act, unless commenced within one year from the time the cause of action accrued.

SEC. 5. That nothing in this Act shall be held to limit the duty of common carriers by railroads or impair the rights of their employees under the safety-appliance Act of March second, eighteen hundred and ninety-three, as amended April first, eighteen hundred and ninety-six, and March second, nineteen hundred and three.

Approved, June 11, 1906.

An act to protect trade and commerce against unlawful restraints and monopolies. Approved July 2, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

1 SECTION 1. Every contract, combination in the form of **Contracts, combinations in form**
 2 trust or otherwise, or conspiracy, in restraint of trade or com- **of trust or other-**
 3 merce among the several States, or with foreign nations, **wise, or conspir-**
 4 is hereby declared to be illegal. Every person who shall **acies, in restraint**
 5 make any such contract or engage in any such combina- **of trade or com-**
 6 tion or conspiracy, shall be deemed guilty of a misde- **merce among the**
 7 meanor, and, on conviction thereof, shall be punished by **States or with**
 8 fine not exceeding five thousand dollars, or by imprison- **foreign nations**
 9 ment not exceeding one year, or by both said punishments, **illegal.**
 10 in the discretion of the court. **Penalty.**

11 SEC. 2. Every person who shall monopolize, or attempt **Persons engag-**
 12 to monopolize, or combine or conspire with any other per- **ing in monop-**
 13 son or persons, to monopolize any part of the trade or **olies guilty of**
 14 commerce among the several States, or with foreign na- **misdemeanor.**
 15 tions, shall be deemed guilty of a misdemeanor, and, on **Penalty.**
 16 conviction thereof, shall be punished by fine not exceeding
 17 five thousand dollars, or by imprisonment not exceeding
 18 one year, or by both said punishments, in the discretion of
 19 the court.

20 SEC. 3. Every contract, combination in form of trust or **Contracts, com-**
 21 otherwise, or conspiracy, in restraint of trade or commerce **bbinations in form**
 22 in any Territory of the United States or of the District of **of trust or other-**
 23 Columbia, or in restraint of trade or commerce between **wise, or conspir-**
 24 any such Territory and another, or between any such Ter- **acies, in restraint**
 25 ritory or Territories and any State or States or the Dis- **of trade or com-**
 26 trict of Columbia, or with foreign nations, or between the **merce in or be-**
 27 District of Columbia and any State or States or foreign **tween Terri-**
 28 nations, is hereby declared illegal. Every person who **tories or between**
 29 shall make any such contract or engage in any such com- **District of**
 30 bination or conspiracy shall be deemed guilty of a misde- **Columbia and**
 31 meanor, and, on conviction thereof, shall be punished by **Territories or**
 32 fine not exceeding five thousand dollars, or by imprison- **between Terri-**
 33 ment not exceeding one year, or by both said punishments, **tories or Dis-**
 34 in the discretion of the court. **trict of Colum-**
 35 **bia and States**
 36 **or foreign**
nations illegal.
Penalty.

35 SEC. 4. The several circuit courts of the United States **Courts may**
 36 are hereby invested with jurisdiction to prevent and restrain **prevent and re-**
strain viola-
tions.

Suits brought by United States district attorneys under direction of Attorney-General.

violations of this act; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney-General, to institute proceedings in equity to prevent and restrain such violations. Such proceedings may be by way of petition setting forth the case and praying that such violation shall be enjoined or otherwise prohibited. When the parties complained of shall have been duly notified of such petition the court shall proceed, as soon as may be, to the hearing and determination of the case; and pending such petition and before final decree the court may at any time make such temporary restraining order or prohibition as shall be deemed just in the premises.

Temporary restraining orders.

Additional parties may be summoned.

SEC. 5. Whenever it shall appear to the court before which any proceeding under section four of this act may be pending that the ends of justice require that other parties should be brought before the court, the court may cause them to be summoned, whether they reside in the district in which the court is held or not; and subpoenas to that end may be served in any district by the marshal thereof.

Service of subpoenas.

Seizure and condemnation of property in course of transportation.

SEC. 6. Any property owned under any contract or by any combination, or pursuant to any conspiracy (and being the subject thereof) mentioned in section one of this act, and being in the course of transportation from one State to another,¹ or to a foreign country, shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law.

¹ Section 76 of Act of Aug. 28, 1894, has also "or to or from a Territory, or the District of Columbia."

Persons injured may recover threefold damages and attorney's fee.

SEC. 7. Any person who shall be injured in his business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by this act, may sue therefor in any circuit court of the United States in the district in which the defendant resides or is found, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the costs of suit, including a reasonable attorney's fee.

"Person" or "persons" defined.

SEC. 8. That the word "person," or "persons," wherever used in this act shall be deemed to include corporations and associations existing under or authorized by the laws of either the United States, the laws of any of the Territories, the laws of any State, or the laws of any foreign country.

Public, No. 190, approved July 2, 1890, first session Fifty-seventh Congress.

ACT OF AUGUST 28, 1894.

[Sections 73 to 77 inclusive.]

1 SEC. 73. That every combination, conspiracy, trust, agreement, or
 2 contract is hereby declared to be contrary to public policy, illegal, and
 3 void, when the same is made by or between two or more persons or
 4 corporations either of whom is engaged in importing any article from
 5 any foreign country into the United States, and when such combina-
 6 tion, conspiracy, trust, agreement, or contract is intended to operate
 7 in restraint of lawful trade, or free competition in lawful trade or com-
 8 merce, or to increase the market price in any part of the United States
 9 of any article or articles imported or intended to be imported into the
 10 United States, or of any manufacture into which such imported article
 11 enters or is intended to enter. Every person who is or shall hereafter
 12 be engaged in the importation of goods or any commodity from any
 13 foreign country in violation of this section of this Act, or who shall
 14 combine or conspire with another to violate the same, is guilty of a
 15 misdemeanor, and, on conviction thereof in any court of the United
 16 States, such person shall be fined in a sum not less than one hundred
 17 dollars and not exceeding five thousand dollars, and shall be further
 18 punished by imprisonment, in the discretion of the court, for a term
 19 not less than three months nor exceeding twelve months.

Trusts, etc., in
 restraint of
 import trade
 declared void.

Penalty.

20 SEC. 74. That the several circuit courts of the United States are
 21 hereby invested with jurisdiction to prevent and restrain violations of
 22 section seventy-three of this Act; and it shall be the duty of the sev-
 23 eral district attorneys of the United States, in their respective districts
 24 under the direction of the Attorney-General, to institute proceedings in
 25 equity to prevent and restrain such violations. Such proceedings may
 26 be by way of petitions setting forth the case and praying that such
 27 violations shall be enjoined or otherwise prohibited. When the parties
 28 complained of shall have been duly notified of such petition the court
 29 shall proceed, as soon as may be, to the hearing and determination of
 30 the case; and pending such petition and before final decree, the court
 31 may at any time make such temporary restraining order or prohibition
 32 as shall be deemed just in the premises.

Jurisdiction
 of circuit
 courts.

Proceedings.

Summoning
additional
parties.

SEC. 75. That whenever it shall appear to the court before which any proceeding under the seventy-fourth section of this Act may be pending, that the ends of justice require that other parties should be brought before the court, the court may cause them to be summoned, whether they reside in the district in which the court is held or not; and subpoenas to that end may be served in any district by the marshal thereof.

Forfeiture,
etc., of prop-
erty affected by
trust.

SEC. 76. That any property owned under any contract or by any combination, or pursuant to any conspiracy (and being the subject thereof) mentioned in section seventy-three of this Act, and being in the course of transportation from one State to another, or to or from a Territory, or the District of Columbia, shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law.

Suits by
parties in-
jured.

SEC. 77. That any person who shall be injured in his business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by this Act may sue therefor in any circuit court of the United States in the district in which the defendant resides or is found, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the costs of suit, including a reasonable attorney's fee.

Damages.

Received by the President, August 15, 1894.

(NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.)

ACT OF JULY 24, 1897, SEC. 34.

****And provided further, that nothing in this Act shall be construed to repeal or in any manner affect the sections numbered 73, 74, 75, 76, and 77 of an Act entitled "An Act to reduce taxation, to provide revenue for the Government, and for other purposes," which became a law on the twenty-eighth day of August, 1894.

[PUBLIC — No. 337.]

AN ACT To amend an Act entitled "An Act to regulate commerce," approved February fourth, eighteen hundred and eighty-seven, and all Acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission.

1 *Be it enacted by the Senate and House of Representatives of the United*
2 *States of America in Congress assembled,* That section one of an Act
3 entitled "An Act to regulate commerce," approved February fourth,
4 eighteen hundred and eighty-seven, be amended so as to read as
5 follows:

6 "SEC. 1. That the provisions of this Act shall apply to any corpora-
7 tion or any person or persons engaged in the transportation of oil or
8 other commodity, except water and except natural or artificial gas, by
9 means of pipe lines, or partly by pipe lines and partly by railroad, or
10 partly by pipe lines and partly by water, who shall be considered and
11 held to be common carriers within the meaning and purpose of this
12 Act, and to any common carrier or carriers engaged in the transporta-
13 tion of passengers or property wholly by railroad (or partly by rail-
14 road and partly by water when both are used under a common control,
15 management, or arrangement for a continuous carriage or shipment),
16 from one State or Territory of the United States, or the District of
17 Columbia, to any other State or Territory of the United States, or the
18 District of Columbia, or from one place in a Territory to another place
19 in the same Territory, or from any place in the United States to an adja-
20 cent foreign country, or from any place in the United States through
21 a foreign country to any other place in the United States, and also to
22 the transportation in like manner of property shipped from any place
23 in the United States to a foreign country and carried from such place
24 to a port of transshipment, or shipped from a foreign country to any
25 place in the United States and carried to such place from a port of
26 entry either in the United States or an adjacent foreign country: *Pro-*
27 *vided, however,* That the provisions of this Act shall not apply to the
28 transportation of passengers or property, or to the receiving, deliver-
29 ing, storage, or handling of property wholly within one State and not
30 shipped to or from a foreign country from or to any State or Terri-
31 tory as aforesaid.

32 "The term 'common carrier' as used in this Act shall include
33 express companies and sleeping car companies. The term 'railroad,'
34 as used in this Act, shall include all bridges and ferries used or oper-
35 ated in connection with any railroad, and also all the road in use by
36 any corporation operating a railroad, whether owned or operated under
37 a contract, agreement, or lease, and shall also include all switches,
38 spurs, tracks, and terminal facilities of every kind used or necessary
39 in the transportation of the persons or property designated herein,
40 and also all freight depots, yards, and grounds used or necessary in
41 the transportation or delivery of any of said property; and the term
42 'transportation' shall include cars and other vehicles and all instru-
43 mentalities and facilities of shipment or carriage, irrespective of own-
44 ership or of any contract, express or implied, for the use thereof and
45 all services in connection with the receipt, delivery, elevation, and

transfer in transit, ventilation, refrigeration or icing, storage, and handling of property transported; and it shall be the duty of every carrier subject to the provisions of this Act to provide and furnish such transportation upon reasonable request therefor, and to establish through routes and just and reasonable rates applicable thereto.

"All charges made for any service rendered or to be rendered in the transportation of passengers or property as aforesaid, or in connection therewith, shall be just and reasonable; and every unjust and unreasonable charge for such service or any part thereof is prohibited and declared to be unlawful.

"No common carrier subject to the provisions of this Act, shall, after January first, nineteen hundred and seven, directly or indirectly, issue or give any interstate free ticket, free pass, or free transportation for passengers, except to its employees and their families, its officers, agents, surgeons, physicians, and attorneys at law; to ministers of religion, traveling secretaries of railroad Young Men's Christian Associations, inmates of hospitals and charitable and eleemosynary institutions, and persons exclusively engaged in charitable and eleemosynary work; to indigent, destitute and homeless persons, and to such persons when transported by charitable societies or hospitals, and the necessary agents employed in such transportation; to inmates of the National Homes or State Homes for Disabled Volunteer Soldiers, and of Soldiers' and Sailors' Homes, including those about to enter and those returning home after discharge and boards of managers of such Homes; to necessary care takers of live stock, poultry, and fruit; to employees on sleeping cars, express cars, and to linemen of telegraph and telephone companies; to Railway Mail Service employees, post-office inspectors, customs inspectors and immigration inspectors; to newsboys on trains, baggage agents, witnesses attending any legal investigation in which the common carrier is interested, persons injured in wrecks and physicians and nurses attending such persons: *Provided*, That this provision shall not be construed to prohibit the interchange of passes for the officers, agents, and employees of common carriers, and their families; nor to prohibit any common carrier from carrying passengers free with the object of providing relief in cases of general epidemic, pestilence, or other calamitous visitation. Any common carrier violating this provision shall be deemed guilty of a misdemeanor and for each offense, on conviction, shall pay to the United States a penalty of not less than one hundred dollars nor more than two thousand dollars, and any person, other than the persons excepted in this provision, who uses any such interstate free ticket, free pass, or free transportation, shall be subject to a like penalty. Jurisdiction of offenses under this provision shall be the same as that provided for offenses in an Act entitled 'An Act to further regulate commerce with foreign nations and among the States,' approved February nineteenth, nineteen hundred and three, and any amendment thereof.

"From and after May first, nineteen hundred and eight, it shall be unlawful for any railroad company to transport from any State, Territory, or the District of Columbia, to any other State, Territory, or the District of Columbia, or to any foreign country, any article or commodity, other than timber and the manufactured products thereof, manufactured, mined, or produced by it, or under its authority, or which it may own in whole, or in part, or in which it may have any

1 interest direct or indirect except such articles or commodities as may
2 be necessary and intended for its use in the conduct of its business as a
3 common carrier.

4 "Any common carrier subject to the provisions of this Act, upon
5 application of any lateral, branch line of railroad, or of any shipper
6 tendering interstate traffic for transportation, shall construct, main-
7 tain, and operate upon reasonable terms a switch connection with any
8 such lateral, branch line of railroad, or private side track which may
9 be constructed to connect with its railroad, where such connection is
10 reasonably practicable and can be put in with safety and will furnish suffi-
11 cient business to justify the construction and maintenance of the same;
12 and shall furnish cars for the movement of such traffic to the best of
13 its ability without discrimination in favor of or against any such ship-
14 per. If any common carrier shall fail to install and operate any such
15 switch or connection as aforesaid, on application therefor in writing
16 by any shipper, such shipper may make complaint to the Commission,
17 as provided in section thirteen of this Act, and the Commission shall
18 hear and investigate the same and shall determine as to the safety and
19 practicability thereof and justification and reasonable compensation
20 therefor and the Commission may make an order, as provided in sec-
21 tion fifteen of this Act, directing the common carrier to comply with
22 the provisions of this section in accordance with such order, and such
23 order shall be enforced as hereinafter provided for the enforcement
24 of all other orders by the Commission, other than orders for the pay-
25 ment of money.

26 SEC. 2. That section six of said Act, as amended March second,
27 eighteen hundred and eighty-nine, be amended so as to read as follows:

28 "SEC. 6. That every common carrier subject to the provisions of
29 this Act shall file with the Commission created by this Act and print
30 and keep open to public inspection schedules showing all the rates,
31 fares, and charges for transportation between different points on its
32 own route and between points on its own route and points on the route
33 of any other carrier by railroad, by pipe line, or by water when a through
34 route and joint rate have been established. If no joint rate over the
35 through route has been established, the several carriers in such through
36 route shall file, print and keep open to public inspection as aforesaid,
37 the separately established rates, fares and charges applied to the through
38 transportation. The schedules printed as aforesaid by any such com-
39 mon carrier shall plainly state the places between which property and
40 passengers will be carried, and shall contain the classification of freight
41 in force, and shall also state separately all terminal charges, storage
42 charges, icing charges, and all other charges which the Commission
43 may require, all privileges or facilities granted or allowed and any
44 rules or regulations which in any wise change, affect, or determine
45 any part or the aggregate of such aforesaid rates, fares, and charges,
46 or the value of the service rendered to the passenger, shipper, or con-
47 signee. Such schedules shall be plainly printed in large type, and
48 copies for the use of the public shall be kept posted in two public and
49 conspicuous places in every depot, station, or office of such carrier
50 where passengers or freight, respectively, are received for transpor-
51 tation, in such form that they shall be accessible to the public and can
52 be conveniently inspected. The provisions of this section shall apply
53 to all traffic, transportation, and facilities defined in this Act.

"Any common carrier subject to the provisions of this Act receiving freight in the United States to be carried through a foreign country to any place in the United States shall also in like manner print and keep open to public inspection, at every depot or office where such freight is received for shipment, schedules showing the through rates established and charged by such common carrier to all points in the United States beyond the foreign country to which it accepts freight for shipment; and any freight shipped from the United States through a foreign country into the United States the through rate on which shall not have been made public, as required by this Act, shall, before it is admitted into the United States from said foreign country, be subject to customs duties as if said freight were of foreign production.

"No change shall be made in the rates, fares, and charges or joint rates, fares, and charges which have been filed and published by any common carrier in compliance with the requirements of this section, except after thirty days' notice to the Commission and to the public published as aforesaid, which shall plainly state the changes proposed to be made in the schedule then in force and the time when the changed rates, fares, or charges will go into effect; and the proposed changes shall be shown by printing new schedules, or shall be plainly indicated upon the schedules in force at the time and kept open to public inspection: *Provided*, That the Commission may, in its discretion and for good cause shown, allow changes upon less than the notice herein specified, or modify the requirements of this section in respect to publishing, posting, and filing of tariffs, either in particular instances or by a general order applicable to special or peculiar circumstances or conditions.

"The names of the several carriers which are parties to any joint tariff shall be specified therein, and each of the parties thereto, other than the one filing the same, shall file with the Commission such evidence of concurrence therein or acceptance thereof as may be required or approved by the Commission, and where such evidence of concurrence or acceptance is filed it shall not be necessary for the carriers filing the same to also file copies of the tariffs in which they are named as parties.

Every common carrier subject to this Act shall also file with said Commission copies of all contracts, agreements, or arrangements with other common carriers in relation to any traffic affected by the provisions of this Act to which it may be a party.

"The Commission may determine and prescribe the form in which the schedules required by this section to be kept open to public inspection shall be prepared and arranged and may change the form from time to time as shall be found expedient.

"No carrier, unless otherwise provided by this Act, shall engage or participate in the transportation of passengers or property, as defined in this Act, unless the rates, fares, and charges upon which the same are transported by said carrier have been filed and published in accordance with the provisions of this Act; nor shall any carrier charge or demand or collect or receive a greater or less or different compensation for such transportation of passengers or property, or for any service in connection therewith, between the points named in such tariffs than the rates, fares, and charges which are specified in the tariff filed and in effect at the time; nor shall any carrier refund or remit in any

1 manner or by any device any portion of the rates, fares, and charges
2 so specified, nor extend to any shipper or person any privileges or
3 facilities in the transportation of passengers or property, except such
4 as are specified in such tariffs: *Provided*, That wherever the word
5 "carrier" occurs in this Act it shall be held to mean "common
6 carrier."

7 "That in time of war or threatened war preference and precedence
8 shall, upon the demand of the President of the United States, be
9 given, over all other traffic, to the transportation of troops and
10 material of war, and carriers shall adopt every means within their
11 control to facilitate and expedite the military traffic."

12 That section one of the Act entitled "An Act to further regulate com-
13 merce with foreign nations and among the States," approved February
14 nineteenth, nineteen hundred and three, be amended so as to read as
15 follows:

16 "That anything done or omitted to be done by a corporation com-
17 mon carrier, subject to the Act to regulate commerce and the Acts
18 amendatory thereof, which, if done or omitted to be done by any
19 director or officer thereof, or any receiver, trustee, lessee, agent, or
20 person acting for or employed by such corporation, would constitute
21 a misdemeanor under said Acts or under this Act, shall also be held to
22 be a misdemeanor committed by such corporation, and upon convic-
23 tion thereof it shall be subject to like penalties as are prescribed in
24 said Acts or by this Act with reference to such persons, except as
25 such penalties are herein changed. The wilful failure upon the part
26 of any carrier subject to said Acts to file and publish the tariffs or
27 rates and charges as required by said Acts, or strictly to observe such
28 tariffs until changed according to law, shall be a misdemeanor, and
29 upon conviction thereof the corporation offending shall be subject to a
30 fine of not less than one thousand dollars nor more than twenty thousand
31 dollars for each offense; and it shall be unlawful for any person, per-
32 sons, or corporation to offer, grant, or give, or to solicit, accept, or
33 receive any rebate, concession, or discrimination in respect to the
34 transportation of any property in interstate or foreign commerce by
35 any common carrier subject to said Act to regulate commerce and the
36 Acts amendatory thereof whereby any such property shall by any
37 device whatever be transported at a less rate than that named in the
38 tariffs published and filed by such carrier, as is required by said Act
39 to regulate commerce and the Acts amendatory thereof, or whereby
40 any other advantage is given or discrimination is practiced. Every
41 person or corporation, whether carrier or shipper, who shall, know-
42 ingly, offer, grant, or give, or solicit, accept, or receive any such
43 rebates, concession, or discrimination shall be deemed guilty of a mis-
44 demeanor, and on conviction thereof shall be punished by a fine of
45 not less than one thousand dollars nor more than twenty thousand
46 dollars: *Provided*, That any person, or any officer or director of any
47 corporation subject to the provisions of this Act, or the Act to regulate
48 commerce and the Acts amendatory thereof, or any receiver, trustee,
49 lessee, agent, or person acting for or employed by any such corporation,
50 who shall be convicted as aforesaid, shall, in addition to the fine herein
51 provided for, be liable to imprisonment in the penitentiary for a term
52 of not exceeding two years, or both such fine and imprisonment, in the
53 discretion of the court. Every violation of this section shall be pros-
54 ecuted in any court of the United States having jurisdiction of crimes

within the district in which such violation was committed, or through 1
which the transportation may have been conducted; and whenever the 2
offense is begun in one jurisdiction and completed in another it may 3
be dealt with, inquired of, tried, determined, and punished in either 4
jurisdiction in the same manner as if the offense had been actually and 5
wholly committed therein. 6

"In construing and enforcing the provisions of this section, the act, 7
omission, or failure of any officer, agent, or other person acting for 8
or employed by any common carrier, or shipper, acting within the 9
scope of his employment, shall in every case be also deemed to be the 10
act, omission, or failure of such carrier or shipper as well as that of 11
the person. Whenever any carrier files with the Interstate Commerce 12
Commission or publishes a particular rate under the provisions of the 13
Act to regulate commerce or Acts amendatory thereof, or participates 14
in any rates so filed or published, that rate as against such carrier, its 15
officers or agents, in any prosecution begun under this Act shall be 16
conclusively deemed to be the legal rate, and any departure from such 17
rate, or any offer to depart therefrom, shall be deemed to be an 18
offense under this section of this Act. 19

"Any person, corporation, or company who shall deliver property 20
for interstate transportation to any common carrier, subject to the 21
provisions of this Act, or for whom as consignor or consignee, any such 22
carrier shall transport property from one State, Territory, or the 23
District of Columbia to any other State, Territory, or the District of 24
Columbia, or foreign country, who shall knowingly by employee, 25
agent, officer, or otherwise, directly or indirectly, by or through any 26
means or device whatsoever, receive or accept from such common car- 27
rier any sum of money or any other valuable consideration as a rebate 28
or offset against the regular charges for transportation of such 29
property, as fixed by the schedules of rates provided for in this Act, 30
shall in addition to any penalty provided by this Act forfeit to the 31
United States a sum of money three times the amount of money 32
so received or accepted and three times the value of any other con- 33
sideration so received or accepted, to be ascertained by the trial 34
court; and the Attorney-General of the United States is authorized 35
and directed, whenever he has reasonable grounds to believe that any 36
such person, corporation, or company has knowingly received or 37
accepted from any such common carrier any sum of money or other 38
valuable consideration as a rebate or offset as aforesaid, to institute in 39
any court of the United States of competent jurisdiction, a civil action 40
to collect the said sum or sums so forfeited as aforesaid; and in the 41
trial of said action all such rebates or other considerations so received 42
or accepted for a period of six years prior to the commencement of 43
the action, may be included therein, and the amount recovered shall 44
be three times the total amount of money, or three times the total 45
value of such consideration, so received or accepted, or both, as the 46
case may be." 47

SEC. 3. That section fourteen of said Act, as amended March second, 48
eighteen hundred and eighty-nine, be amended so as to read as follows: 49

"SEC. 14. That whenever an investigation shall be made by said Com- 50
mission, it shall be its duty to make a report in writing in respect 51
thereto, which shall state the conclusions of the Commission, together 52
with its decision, order, or requirement in the premises; and in case 53

1 damages are awarded such report shall include the findings of fact on
2 which the award is made.

3 "All reports of investigations made by the Commission shall be
4 entered of record, and a copy thereof shall be furnished to the party
5 who may have complained, and to any common carrier that may have
6 been complained of.

7 "The Commission may provide for the publication of its reports
8 and decisions in such form and manner as may be best adapted for
9 public information and use, and such authorized publications shall be
10 competent evidence of the reports and decisions of the Commission
11 therein contained in all courts of the United States and of the several
12 States without any further proof or authentication thereof. The
13 Commission may also cause to be printed for early distribution its
14 annual reports."

15 SEC. 4. That section fifteen of said Act be amended so as to read as
16 follows:

17 "SEC. 15. That the Commission is authorized and empowered, and
18 it shall be its duty, whenever, after full hearing upon a complaint made
19 as provided in section thirteen of this Act, or upon complaint of any
20 common carrier, it shall be of the opinion that any of the rates, or
21 charges whatsoever, demanded, charged, or collected by any common
22 carrier or carriers, subject to the provisions of this Act, for the trans-
23 portation of persons or property as defined in the first section of this
24 Act, or that any regulations or practices whatsoever of such carrier or
25 carriers affecting such rates, are unjust or unreasonable, or unjustly
26 discriminatory, or unduly preferential or prejudicial, or otherwise in
27 violation of any of the provisions of this Act, to determine and pre-
28 scribe what will be the just and reasonable rate or rates, charge or
29 charges, to be thereafter observed in such case as the maximum to
30 be charged; and what regulation or practice in respect to such
31 transportation is just, fair, and reasonable to be thereafter followed;
32 and to make an order that the carrier shall cease and desist from
33 such violation, to the extent to which the Commission find the same
34 to exist, and shall not thereafter publish, demand, or collect any rate
35 or charge for such transportation in excess of the maximum rate or
36 charge so prescribed, and shall conform to the regulation or prac-
37 tice so prescribed. All orders of the Commission, except orders for
38 the payment of money, shall take effect within such reasonable time,
39 not less than thirty days, and shall continue in force for such period
40 of time, not exceeding two years, as shall be prescribed in the order
41 of the Commission, unless the same shall be suspended or modified or
42 set aside by the Commission or be suspended or set aside by a court of
43 competent jurisdiction. Whenever the carrier or carriers, in obe-
44 dience to such order of the Commission or otherwise, in respect to
45 joint rates, fares, or charges, shall fail to agree among themselves
46 upon the apportionment or division thereof, the Commission may
47 after hearing make a supplemental order prescribing the just and rea-
48 sonable proportion of such joint rate to be received by each carrier
49 party thereto, which order shall take effect as a part of the original
50 order.

51 "The Commission may also, after hearing on a complaint, establish
52 through routes and joint rates as the maximum to be charged and pre-
53 scribe the division of such rates as hereinbefore provided, and the terms

and conditions under which such through routes shall be operated, when that may be necessary to give effect to any provision of this Act, and the carriers complained of have refused or neglected to voluntarily establish such through routes and joint rates, provided no reasonable or satisfactory through route exists, and this provision shall apply when one of the connecting carriers is a water line.

"If the owner of property transported under this Act directly or indirectly renders any service connected with such transportation, or furnishes any instrumentality used therein, the charge and allowance therefor shall be no more than is just and reasonable, and the Commission may, after hearing on a complaint, determine what is a reasonable charge as the maximum to be paid by the carrier or carriers for the service so rendered or for the use of the instrumentality so furnished, and fix the same by appropriate order, which order shall have the same force and effect and be enforced in like manner as the orders above provided for in this section.

"The foregoing enumeration of powers shall not exclude any power which the Commission would otherwise have in the making of an order under the provisions of this Act."

SEC. 5. That section sixteen of said Act, as amended March second, eighteen hundred and eighty-nine, be amended so as to read as follows:

"SEC. 16. That if, after hearing on a complaint made as provided in section thirteen of this Act, the Commission shall determine that any party complainant is entitled to an award of damages under the provisions of this Act for a violation thereof, the Commission shall make an order directing the carrier to pay to the complainant the sum to which he is entitled on or before a day named.

"If a carrier does not comply with an order for the payment of money within the time limit in such order, the complainant, or any person for whose benefit such order was made, may file in the circuit court of the United States for the district in which he resides or in which is located the principal operating office of the carrier, or through which the road of the carrier runs, a petition setting forth briefly the causes for which he claims damages, and the order of the Commission in the premises. Such suit shall proceed in all respects like other civil suits for damages, except that on the trial of such suit the findings and order of the Commission shall be prima facie evidence of the facts therein stated, and except that the petitioner shall not be liable for costs in the circuit court nor for costs at any subsequent stage of the proceedings unless they accrue upon his appeal. If the petitioner shall finally prevail he shall be allowed a reasonable attorney's fee, to be taxed and collected as a part of the costs of the suit. All complaints for the recovery of damages shall be filed with the Commission within two years from the time the cause of action accrues, and not after, and a petition for the enforcement of an order for the payment of money shall be filed in the circuit court within one year from the date of the order, and not after: *Provided*, That claims accrued prior to the passage of this Act may be presented within one year.

"In such suits all parties in whose favor the Commission may have made an award for damages by a single order may be joined as plaintiffs, and all of the carriers parties to such order awarding such damages may be joined as defendants, and such suit may be maintained by such joint plaintiffs and against such joint defendants in any district where any one of such joint plaintiffs could maintain such suit against

1 any one of such joint defendants; and service of process against any
2 one of such defendants as may not be found in the district where the
3 suit is brought may be made in any district where such defendant car-
4 rier has its principal operating office. In case of such joint suit the
5 recovery, if any, may be by judgment in favor of any one of such
6 plaintiffs, against the defendant found to be liable to such plaintiff.

7 "Every order of the Commission shall be forthwith served by mail-
8 ing to any one of the principal officers or agents of the carrier at his
9 usual place of business a copy thereof; and the registry mail receipt
10 shall be prima facie evidence of the receipt of such order by the car-
11 rier in due course of mail.

12 "The Commission shall be authorized to suspend or modify its orders
13 upon such notice and in such manner as it shall deem proper.

14 "It shall be the duty of every common carrier, its agents and
15 employees, to observe and comply with such orders so long as the
16 same shall remain in effect.

17 "Any carrier, any officer, representative, or agent of a carrier, or
18 any receiver, trustee, lessee, or agent of either of them, who know-
19 ingly fails or neglects to obey any order made under the provisions of
20 section fifteen of this Act, shall forfeit to the United States the sum of
21 five thousand dollars for each offense. Every distinct violation shall
22 be a separate offense, and in case of a continuing violation each day
23 shall be deemed a separate offense.

24 "The forfeiture provided for in this Act shall be payable into the
25 Treasury of the United States, and shall be recoverable in a civil suit
26 in the name of the United States, brought in the district where the
27 carrier has its principal operating office, or in any district through
28 which the road of the carrier runs.

29 "It shall be the duty of the various district attorneys, under the direc-
30 tion of the Attorney-General of the United States, to prosecute for
31 the recovery of forfeitures. The costs and expenses of such prosecu-
32 tion shall be paid out of the appropriation for the expenses of the
33 courts of the United States. The Commission may, with the consent
34 of the Attorney-General, employ special counsel in any proceeding
35 under this Act, paying the expenses of such employment out of its
36 own appropriation.

37 "If any carrier fails or neglects to obey any order of the Commis-
38 sion, other than for the payment of money, while the same is in effect,
39 any party injured thereby, or the Commission in its own name, may
40 apply to the circuit court in the district where such carrier has its
41 principal operating office, or in which the violation or disobedience of
42 such order shall happen, for an enforcement of such order. Such
43 application shall be by petition, which shall state the substance of the
44 order and the respect in which the carrier has failed of obedience, and
45 shall be served upon the carrier in such manner as the court may
46 direct, and the court shall prosecute such inquiries and make such
47 investigations, through such means as it shall deem needful in the
48 ascertainment of the facts at issue or which may arise upon the hear-
49 ing of such petition. If, upon such hearing as the court may deter-
50 mine to be necessary, it appears that the order was regularly made
51 and duly served, and that the carrier is in disobedience of the same,
52 the court shall enforce obedience to such order by a writ of injunction,
53 or other proper process, mandatory or otherwise, to restrain such
54 carrier, its officers, agents, or representatives, from further disobe-

ence of such order, or to enjoin upon it, or them, obedience to the same; and in the enforcement of such process the court shall have those powers ordinarily exercised by it in compelling obedience to its writs of injunction and mandamus.

“From any action upon such petition an appeal shall lie by either party to the Supreme Court of the United States, and in such court the case shall have priority in hearing and determination over all other causes except criminal causes, but such appeal shall not vacate or suspend the order appealed from.

“The venue of suits brought in any of the circuit courts of the United States against the Commission to enjoin, set aside, annul, or suspend any order or requirement of the Commission shall be in the district where the carrier against whom such order or requirement may have been made has its principal operating office, and may be brought at any time after such order is promulgated. And if the order or requirement has been made against two or more carriers then in the district where any one of said carriers has its principal operating office, and if the carrier has its principal operating office in the District of Columbia then the venue shall be in the district where said carrier has its principal office; and jurisdiction to hear and determine such suits is hereby vested in such courts. The provisions of ‘An Act to expedite the hearing and determination of suits in equity, and so forth,’ approved February eleventh, nineteen hundred and three, shall be, and are hereby, made applicable to all such suits, including the hearing on an application for a preliminary injunction, and are also made applicable to any proceeding in equity to enforce any order or requirement of the Commission, or any of the provisions of the Act to regulate commerce approved February fourth, eighteen hundred and eighty-seven, and all Acts amendatory thereof or supplemental thereto. It shall be the duty of the Attorney-General in every such case to file the certificate provided for in said expediting Act of February eleventh, nineteen hundred and three, as necessary to the application of the provisions thereof, and upon appeal as therein authorized to the Supreme Court of the United States, the case shall have in such court priority in hearing and determination over all other causes except criminal causes: *Provided*, That no injunction, interlocutory order or decree suspending or restraining the enforcement of an order of the Commission shall be granted except on hearing after not less than five days’ notice to the Commission. An appeal may be taken from any interlocutory order or decree granting or continuing an injunction in any suit, but shall lie only to the Supreme Court of the United States: *Provided further*, That the appeal must be taken within thirty days from the entry of such order or decree and it shall take precedence in the appellate court over all other causes, except causes of like character and criminal causes.

“The copies of schedules and tariffs of rates, fares, and charges, and of all contracts, agreements, or arrangements between common carriers filed with the Commission as herein provided, and the statistics, tables, and figures contained in the annual reports of carriers made to the Commission, as required by the provisions of this Act, shall be preserved as public records in the custody of the secretary of the Commission, and shall be received as prima facie evidence of what they purport to be for the purpose of investigations by the Commission and in all judicial proceedings; and copies of or extracts from

1 any of said schedules, tariffs, contracts, agreements, arrangements, or
2 reports made public records as aforesaid, certified by the secretary
3 under its seal, shall be received in evidence with like effect as the
4 originals."

5 SEC. 6. That a new section be added to said Act immediately after
6 section sixteen, to be numbered as section sixteen a, as follows:

7 "SEC. 16a. That after a decision, order, or requirement has been made
8 by the Commission in any proceeding any party thereto may at any
9 time make application for rehearing of the same, or any matter deter-
10 mined therein, and it shall be lawful for the Commission in its discre-
11 tion to grant such a rehearing if sufficient reason therefor be made
12 to appear. Applications for rehearing shall be governed by such
13 general rules as the Commission may establish. No such application
14 shall excuse any carrier from complying with or obeying any decision,
15 order, or requirement of the Commission, or operate in any manner
16 to stay or postpone the enforcement thereof, without the special order
17 of the Commission. In case a rehearing is granted the proceedings
18 thereupon shall conform as nearly as may be to the proceedings in an
19 original hearing, except as the Commission may otherwise direct; and
20 if, in its judgment, after such rehearing and the consideration of all
21 facts, including those arising since the former hearing, it shall appear
22 that the original decision, order, or requirement is in any respect
23 unjust or unwarranted, the Commission may reverse, change, or
24 modify the same accordingly. Any decision, order, or requirement
25 made after such rehearing, reversing, changing, or modifying the
26 original determination shall be subject to the same provisions as an
27 original order."

28 SEC. 7. That section twenty of said Act be amended so as to read as
29 follows:

30 "SEC. 20. That the Commission is hereby authorized to require
31 annual reports from all common carriers subject to the provisions of
32 this Act, and from the owners of all railroads engaged in interstate
33 commerce as defined in this Act, to prescribe the manner in which
34 such reports shall be made, and to require from such carriers specific
35 answers to all questions upon which the Commission may need informa-
36 tion. Such annual reports shall show in detail the amount of capital
37 stock issued, the amounts paid therefor, and the manner of payment
38 for the same; the dividends paid, the surplus fund, if any, and the
39 number of stockholders; the funded and floating debts and the interest
40 paid thereon; the cost and value of the carrier's property, franchises,
41 and equipments; the number of employees and the salaries paid each
42 class; the accidents to passengers, employees, and other persons,
43 and the causes thereof; the amounts expended for improvements
44 each year, how expended, and the character of such improvements;
45 the earnings and receipts from each branch of business and from
46 all sources; the operating and other expenses; the balances of profit
47 and loss; and a complete exhibit of the financial operations of the
48 carrier each year, including an annual balance sheet. Such reports
49 shall also contain such information in relation to rates or regulations
50 concerning fares or freights, or agreements, arrangements, or contracts
51 affecting the same as the Commission may require; and the Commis-
52 sion may, in its discretion, for the purpose of enabling it the better to
53 carry out the purposes of this Act, prescribe a period of time within
54 which all common carriers subject to the provisions of this Act shall

have, as near as may be, a uniform system of accounts, and the manner in which such accounts shall be kept. 1 2

"Said detailed reports shall contain all the required statistics for the period of twelve months ending on the thirtieth day of June in each year, and shall be made out under oath and filed with the Commission, at its office in Washington, on or before the thirtieth day of September then next following, unless additional time be granted in any case by the Commission; and if any carrier, person, or corporation subject to the provisions of this Act shall fail to make and file said annual reports within the time above specified, or within the time extended by the Commission for making and filing the same, or shall fail to make specific answer to any question authorized by the provisions of this section within thirty days from the time it is lawfully required so to do, such parties shall forfeit to the United States the sum of one hundred dollars for each and every day it shall continue to be in default with respect thereto. The Commission shall also have authority to require said carriers to file monthly reports of earnings and expenses or special reports within a specified period, and if any such carrier shall fail to file such reports within the time fixed by the Commission it shall be subject to the forfeitures last above provided. 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

"Said forfeitures shall be recovered in the manner provided for the recovery of forfeitures under the provisions of this Act. 21 22

"The oath required by this section may be taken before any person authorized to administer an oath by the laws of the State in which the same is taken. 23 24 25

"The Commission may, in its discretion, prescribe the forms of any and all accounts, records, and memoranda to be kept by carriers subject to the provisions of this Act, including the accounts, records, and memoranda of the movement of traffic as well as the receipts and expenditures of moneys. The Commission shall at all times have access to all accounts, records, and memoranda kept by carriers subject to this Act, and it shall be unlawful for such carriers to keep any other accounts, records, or memoranda than those prescribed or approved by the Commission, and it may employ special agents or examiners, who shall have authority under the order of the Commission to inspect and examine any and all accounts, records, and memoranda kept by such carriers. This provision shall apply to receivers of carriers and operating trustees. 26 27 28 29 30 31 32 33 34 35 36 37 38

"In case of failure or refusal on the part of any such carrier, receiver, or trustee to keep such accounts, records, and memoranda on the books and in the manner prescribed by the Commission, or to submit such accounts, records, and memoranda as are kept to the inspection of the Commission or any of its authorized agents or examiners, such carrier, receiver, or trustee shall forfeit to the United States the sum of five hundred dollars for each such offense and for each and every day of the continuance of such offense, such forfeitures to be recoverable in the same manner as other forfeitures provided for in this Act. 39 40 41 42 43 44 45 46 47 48

"Any person who shall willfully make any false entry in the accounts of any book of accounts or in any record or memoranda kept by a carrier, or who shall willfully destroy, mutilate, alter, or by any other means or device falsify the record of any such account, record, or memoranda, or who shall willfully neglect or fail to make full, true, and correct entries in such accounts, records, or memoranda 49 50 51 52 53 54

1 of all facts and transactions appertaining to the carrier's business, or
2 shall keep any other accounts, records, or memoranda than those pre-
3 scribed or approved by the Commission, shall be deemed guilty of a
4 misdemeanor and shall be subject, upon conviction in any court of the
5 United States of competent jurisdiction, to a fine of not less than one
6 thousand dollars nor more than five thousand dollars, or imprisonment
7 for a term not less than one year nor more than three years, or both
8 such fine and imprisonment.

9 "Any examiner who divulges any fact or information which may
10 come to his knowledge during the course of such examination, except
11 in so far as he may be directed by the Commission or by a court or
12 judge thereof, shall be subject, upon conviction in any court of the
13 United States of competent jurisdiction, to a fine of not more than
14 five thousand dollars or imprisonment for a term not exceeding two
15 years, or both.

16 "That the circuit and district courts of the United States shall have
17 jurisdiction, upon the application of the Attorney-General of the
18 United States at the request of the Commission, alleging a failure to
19 comply with or a violation of any of the provisions of said Act to
20 regulate commerce or of any Act supplementary thereto or amenda-
21 tory thereof by any common carrier, to issue a writ or writs of man-
22 damus commanding such common carrier to comply with the provi-
23 sions of said Acts, or any of them.

24 "And to carry out and give effect to the provisions of said Acts, or
25 any of them, the Commission is hereby authorized to employ special
26 agents or examiners who shall have power to administer oaths, examine
27 witnesses, and receive evidence.

28 "That any common carrier, railroad, or transportation company
29 receiving property for transportation from a point in one State to a
30 point in another State shall issue a receipt or bill of lading therefor
31 and shall be liable to the lawful holder thereof for any loss, damage,
32 or injury to such property caused by it or by any common carrier,
33 railroad, or transportation company to which such property may be
34 delivered or over whose line or lines such property may pass, and no
35 contract, receipt, rule, or regulation shall exempt such common carrier,
36 railroad, or transportation company from the liability hereby imposed:
37 *Provided*, That nothing in this section shall deprive any holder of
38 such receipt or bill of lading of any remedy or right of action which
39 he has under existing law.

40 "That the common carrier, railroad, or transportation company
41 issuing such receipt or bill of lading shall be entitled to recover from
42 the common carrier, railroad, or transportation company on whose
43 line the loss, damage, or injury shall have been sustained the amount
44 of such loss, damage, or injury as it may be required to pay to the
45 owners of such property, as may be evidenced by any receipt, judg-
46 ment, or transcript thereof."

47 SEC. 8. That a new section be added to said Act at the end thereof,
48 to be numbered as section twenty-four, as follows:

49 "SEC. 24. That the Interstate Commerce Commission is hereby
50 enlarged so as to consist of seven members with terms of seven years,
51 and each shall receive ten thousand dollars compensation annually.
52 The qualifications of the Commissioners and the manner of the payment
53 of their salaries shall be as already provided by law. Such enlarge-
54 ment of the Commission shall be accomplished through appointment

by the President, by and with the advice and consent of the Senate, of two additional Interstate Commerce Commissioners, one for a term expiring December thirty-first, nineteen hundred and eleven, one for a term expiring December thirty-first, nineteen hundred and twelve. The terms of the present Commissioners, or of any successor appointed to fill a vacancy caused by the death or resignation of any of the present Commissioners, shall expire as heretofore provided by law. Their successors and the successors of the additional Commissioners herein provided for shall be appointed for the full term of seven years, except that any person appointed to fill a vacancy shall be appointed only for the unexpired term of the Commissioner whom he shall succeed. Not more than four Commissioners shall be appointed from the same political party."

SEC. 9. That all existing laws relating to the attendance of witnesses and the production of evidence and the compelling of testimony under the Act to regulate commerce and all Acts amendatory thereof shall apply to any and all proceedings and hearings under this Act.

SEC. 10. That all laws and parts of laws in conflict with the provisions of this Act are hereby repealed, but the amendments herein provided for shall not affect causes now pending in courts of the United States, but such causes shall be prosecuted to a conclusion in the manner heretofore provided by law.

SEC. 11. That this Act shall take effect and be in force from and after its passage.

Approved, June 29, 1906.

By Joint Resolution of June 30, 1906, Congress enacted that the above Act shall take effect and be in force sixty days after its approval by the President.

See Page 32.

INDEX-DIGEST

INCLUDING THE FOLLOWING ACTS:

ACT OF FEBRUARY 4, 1887, TO REGULATE COMMERCE, AND AMENDMENTS, INCLUDING AMENDMENTS IN ACT OF JUNE 29, 1906.

ACT OF FEBRUARY 11, 1893, IN RELATION TO TESTIMONY BEFORE INTERSTATE COMMERCE COMMISSION.

ACT OF JUNE 30, 1906, DEFINING RIGHT OF IMMUNITY OF WITNESSES, ETC.

ACT OF FEBRUARY 19, 1903, CALLED THE ELKINS ACT, AS AMENDED BY ACT OF JUNE 29, 1906.

ACT OF FEBRUARY 11, 1903, TO EXPEDITE HEARINGS, ETC.

JOINT RESOLUTION JUNE 30, 1906.

FOR DIGESTS OF THE OTHER ACTS, SEE TABLE OF CONTENTS.

INDEX-DIGEST

OF THE

INTERSTATE COMMERCE ACTS

A

[The references are to sections, pages, and lines]

ABET.

Penalty imposed upon carrier or officer, etc., who shall aid or abet any violation of Act, etc. § 10 : p. 13 : l. 28, 32, 34. § 10 : p. 14 : l. 43.

ABILITY.

Carrier, etc., to furnish, to best of its ability, cars for shippers or for lateral branch lines of railroad or private side tracks with which it has made switch connections, etc. § 1 : p. 8 : l. 6.

ABRIDGE.

Nothing in Act, etc., shall abridge existing remedies at common law or by statute. § 22 : p. 30 : l. 8.

ACCEPT.

Rebates, concessions, or discriminations, unlawful. Elkins Act. § 1 : p. 34 : l. 38.

Penalty. Elkins Act. § 1 : p. 35 : l. 7, 11, 19.

ACCEPTANCE.

Of joint rate. Each of carriers parties to, shall file with commission evidence of concurrence therein or acceptance thereof, etc. § 6 : p. 11 : l. 19, 21.

ACCEPTED.

Money, as rebate, etc. ; three times value thereof to be forfeited, etc. Elkins Act. § 1 : p. 36 : l. 16, 33.

ACCESS.

Commission to have, to accounts, records, and memoranda kept by carriers. § 20 : p. 27 : l. 28.

ACCIDENTS.

To be reported to Commission in annual report of carriers, etc. § 20 : p. 26 : l. 22.

Also causes of. § 20 : p. 26 : l. 23. See Act March 3, 1901, requiring monthly reports, etc. § 1 : p. 49 : l. 5.

[The references are to sections, pages, and lines]

ACCOUNTS.

Commission to have access to. § 20 : p. 27 : l. 28.

Commission may prescribe uniform system of. § 20 : p. 26 : l. 37.

Also manner of keeping. § 20 : p. 26 : l. 38.

Unlawful to keep any other accounts. § 20 : p. 27 : l. 29.

Penalty for so doing. § 20 : p. 27 : l. 44. § 20 : p. 26 : l. 9.

The forms of accounts, records, and memoranda to be kept by carriers to be prescribed by Commission. § 20 : p. 27 : l. 23, 25, 28, 30, 35.

Reference to. § 20 : p. 27 : l. 23, 28, 30, 34, 38, 40.

False entry in, a misdemeanor subject to fine not less than \$1,000 nor more than \$5,000, imprisonment from one to three years, or both. § 20 : p. 28 : l. 1 to 17.

Special agents to examine. § 20 : p. 27 : l. 32.

ACCRUED RIGHTS.

Not affected by Elkins Act. Elkins Act. § 4 : p. 38 : l. 22.

Claims, prior to June 29, 1906, may be presented to Commission within one year. § 16 : p. 21 : l. 10.

ACCUES.

See "Cause of Action."

ACT : Subject to.

1. Any corporation, or any person, etc.,
Engaged in transportation of oil or other commodity,
By means of pipe lines,
Or partly by pipe lines and partly by railroad,
Or partly by pipe lines and partly by water.
Exception :

Water and natural or artificial gas.

The above shall be considered and held to be common carriers within the Act. § 1 : p. 5 : l. 4.

2. Any common carrier or carriers engaged in transportation of passengers or property

Wholly by railroad,

(or partly by railroad and partly by water when both are used under a common control, management, or arrangement for a continuous carriage or shipment).

From one State or Territory of the United States, or the District of Columbia,

To any other State or Territory of the United States, or the District of Columbia,

Or from one place in a Territory,

To another place in the same Territory,

Or from any place in the United States.

To an adjacent foreign country,

Or from any place in the United States.

Through a foreign country,

To any other place in the United States.

[The references are to sections, pages, and lines]

ACT: Subject to (Continued).

3. To the transportation in like manner of property.
Shipped from any place in the United States to a foreign country
And carried from such place to a port of transshipment,
Or shipped from a foreign country
To any place in the United States
And carried to such place from port of entry
Either in the United States or an adjacent foreign country.
§ 1 : p. 5 : l. 1 to 29.

Not Subject to.

1. Transportation of passengers or property, or to
The receiving, delivering, storage, or handling of property,
Wholly within one State
And not shipped to or from a foreign country
From or to any State or Territory as aforesaid. § 1 : p. 5 : l. 29.
2. Any corporation or any person engaged in transportation of
water and natural and artificial gas, by pipe lines, etc.
§ 1 : p. 5 : l. 6.

ACT.

For violation of or failure to obey, Writ of Mandamus may be issued. § 20 : p. 28 : l. 26. See also § 23 : p. 31 : l. 1.

Violation of, not to move traffic on same rates or same conditions to one as to all. § 23 : p. 31 : l. 1 to 26. See "Violation."

Nothing in Act shall abridge or alter.

The remedies now existing at common law or by statute.

The provisions of Act are in addition to such remedies. § 22 : p. 30 : l. 8.

Duty of Commission to execute and enforce. § 12 : p. 16 : l. 6.

Every official, to be of record. § 17 : p. 25 : l. 12.

Commission to inquire into management of common carriers subject to. § 12 : p. 15 : l. 41.

Appointment of special agents, etc., to carry out. § 20 : p. 28 : l. 35.

No pending litigation shall in any way be affected by this Act. § 22 : p. 30 : l. 11.

ACT OF FEBRUARY 11, 1903. To Expedite Hearings, etc.

Said Act shall apply to,—

Suits to enjoin, set aside, annul, or suspend any order or requirement of Commission. § 16 : p. 23 : l. 19, 31.

To hearings on application for preliminary injunction. § 16 : p. 23 : l. 23.

To any proceeding in equity to enforce any order or requirement of Commission or any provisions of Act of February 4, 1887, and amendments. § 16 : p. 23 : l. 24.

[The references are to sections, pages, and lines]

ACT. Rule of Construction.

Shall not be construed,—

To prevent interchange of authorized passes. § 1 : p. 7 : l. 11.

Nor to require common carrier to give use of trucks or terminal facilities to another carrier engaged in like business. § 3 : p. 9 : l. 6.

Nor to authorize as great compensation for shorter as for longer haul. § 4 : p. 9 : l. 17.

Nor to deprive holder of receipt or bill of lading of any remedy, etc., he has under existing law. § 20 : p. 29 : l. 7.

Nor to prevent carriage, storage, or handling of property free or at reduced rates for certain designated classes, etc. § 22 : p. 29 : l. 31.

Nor to prevent free carriage of certain designated persons, etc. § 22 : p. 29 : l. 35.

Nor to prevent reduced rates to certain designated classes, etc. § 22 : p. 29 : l. 40.

Nor to prevent issuance of mileage, excursion, or commutation passenger tickets. § 22 : p. 29 : l. 38.

Nor to prevent the giving of free carriage to officers and employees of railroads. § 22 : p. 30 : l. 3.

Nor to prevent exchange of passes or tickets with other railroad companies, etc. § 22 : p. 30 : l. 6.

Nor to abridge nor alter existing remedies at common law or by statute, etc. § 22 : p. 30 : l. 8.

Nor to affect pending litigation. § 22 : p. 30 : l. 11.

Nor to prevent issuance of joint interchangeable five-thousand-mile tickets. § 22 : p. 30 : l. 13.

Nor shall remedy by Writ of Mandamus under Section 23 be held to exclude, etc., other remedies provided by Act, etc. § 23 : p. 31 : l. 23.

Construction as to immunity, Act June 30, 1906. § 1 : p. 34 : l. 12.

The act, omission, or failure of any officer, agent, or other person acting for or employed by any common carrier or shipper,

Acting within the scope of his employment,

Shall be deemed the act, omission, or failure of such carrier or shipper as well as of the person. Elkins Act. § 1 : p. 35 : l. 30.

The rates, etc., filed or published under the Act conclusively deemed to be the legal rate in any prosecution. Elkins Act. § 1 : p. 35 : l. 36, 42.

Any departure from such rate or any offer to depart therefrom shall be an offense under this section. Elkins Act. § 1 : p. 35 : l. 44.

Act takes effect from passage. Elkins Act. § 5 : p. 38 : l. 26.

ACT OF JUNE 29, 1906, Additional Provisions Exclusive of Amendments to Commerce Act.

Section 9 extends all existing laws as to attendance of witnesses, production of evidence, compelling testimony, etc., to proceedings and hearings under this Act. p. 32 : l. 6.

[The references are to sections, pages, and lines]

ACT OF JUNE 29, 1906 (Continued).

Section 10. Repeals all laws and parts in conflict with this Act. Amendments herein contained not to affect pending causes. p. 32 : l. 11.

Section 11. Act to go into effect from and after its passage. p. 32 : l. 17.

Time of taking effect extended to sixty days after approval by President by Joint Resolution of June 30, 1906. § 1 : p. 32 : l. 19.

ACTING.

Thing done by person, etc., acting for corporation, if a misdemeanor, is also misdemeanor of corporation. Elkins Act. § 1 : p. 34 : l. 23.

ACTION.

Any consignor or consignee discriminated against may bring action on the case. § 10 : p. 15 : l. 10, 11.

ADDITIONAL.

All persons interested in or affected by the rate, regulation, or practice under consideration may be made additional parties, subject to the order and decree. Elkins Act. § 2 : p. 36 : l. 39, 43.

Successors of two additional Commissioners. How appointed. § 24 : p. 31 : l. 34.

ADJACENT.

Foreign Country. Reference to. § 1 : p. 5 : l. 20, 21, 28, 29.

ADVANTAGE.

Undue. Unlawful for carrier to give, to any person, locality, or traffic, etc. § 3 : p. 8 : l. 37.

ADVANTAGES.

Unlawful to give any advantage, etc., to one shipper over another by departure from published and filed rate. Elkins Act. § 1 : p. 35 : l. 5.

AFFECTED.

All persons interested in or affected by rate, regulation, etc., under investigation may be made parties subject to order and decree. § 2 : p. 36 : l. 40.

AFFIRMATIONS.

Commission may administer. § 17 : p. 25 : l. 16.

AGENT.

Of common carrier subject to Act, violating law, guilty of misdemeanor. § 10 : p. 13 : l. 22.

Penalty : fine not over \$5,000. § 10 : p. 14 : l. 18, 37.

[The references are to sections, pages, and lines]

AGENT (Continued).

If offense is unlawful discrimination in rates, etc., for transportation of passengers or property, penalty of imprisonment not over two years in addition to fine, in discretion of court. § 10 : p. 14 : l. 42.

Of common carrier, penalty for false billing, false classification, false weighing, etc., or any other device; fine not over \$5,000, or imprisonment not over two years, or both, in discretion of court. § 10 : p. 14 : l. 3, 27, 41. § 10 : p. 15 : l. 1.

Order of commission may be served by mailing to agent of carrier, etc. § 16 : p. 21 : l. 29.

Duty of agent of carrier to observe and comply with orders of Commission. § 16 : p. 21 : l. 36.

May be restrained from disobeying order of Commission. § 16 : p. 22 : l. 38.

Of carrier who knowingly fails or neglects to obey order of Commission, forfeiture of \$5,000. § 16 : p. 21 : l. 39, 40.

Penalty for taking rebates, etc. § 1 : p. 35 : l. 7, 11, 19.

AGENTS.

Free passes to. § 1 : p. 6 : l. 35, 42. § 1 : p. 7 : l. 12.

To baggage agents. § 1 : p. 7 : l. 7.

Special.

May be appointed by Commission to inspect accounts, etc. § 20 : p. 27 : l. 32.

May be appointed by Commission to carry out and give effect to provisions of Act. § 20 : p. 28 : l. 35.

Such agents to have power to administer oaths, examine witnesses, and receive evidence. § 20 : p. 28 : l. 35.

Not to divulge facts, etc. Penalty. § 20 : p. 28 : l. 19.

AGREEMENT.

See also "Contract."

References to. § 1 : p. 6 : l. 7. § 5 : p. 9 : l. 31, 35. § 6 : p. 11 : l. 25. § 7 : p. 12 : l. 16. § 16 : p. 12 : l. 4, 14. § 12 : p. 16 : l. 19. § 20 : p. 26 : l. 31.

AGREEMENTS.

See also "Contracts."

Production of, etc. See "Papers."

Between common carriers.

When filed with Commission, are public records. § 16 : p. 24 : l. 4.

Certified copies can be used as evidence. § 16 : p. 24 : l. 15.

Annual report to contain information as to, etc. § 20 : p. 26 : l. 31.

To prevent continuous carriage. Unlawful. § 7 : p. 12 : l. 16.

AGRICULTURAL SOCIETY.

May complain of violation of Act. § 13 : p. 17 : l. 41.

[The references are to sections, pages, and lines]

AID.

Of Court to compel testimony. § 12 : p. 16 : l. 26.

AID OR ABET.

Violation of Act. Penalty. § 10 : p. 13 : l. 28, 32, 34. § 10 : p. 14 : l. 43.

ALLEGING.

Complaint alleging violation of Act. Mandamus. § 20 : p. 28 : l. 26.

ALLOWANCE.

For services, etc., rendered by owner, etc., to be no more than just and reasonable. § 15 : p. 20 : l. 10.

ALLOWED.

Privileges and facilities allowed must be stated in schedules. § 6 : p. 10 : l. 14.

ALTER.

To wilfully, record, etc. Penalty. § 20 : p. 28 : l. 4.

Nothing in Act shall, existing remedies at common law or by Statute. § 22 : p. 30 : l. 8.

AMEND.

Commission may make and, general rules, orders, etc., as to proceedings before it, etc. § 17 : p. 25 : l. 6.

AMOUNT RECOVERED.

Three times value of rebate, etc., received. Elkins Act. § 1 : p. 36 : l. 30.

ANNUAL.

Carriers to make, reports. § 20 : p. 26 : l. 8.

Reports are public records. § 16 : p. 24 : l. 7. See "Reports."

Salary of Commissioners. See "Salary."

ANNUAL BALANCE SHEET.

To be in annual report of carriers. § 20 : p. 26 : l. 29.

ANNUL.

Court may annul, etc., orders of Commission. § 16 : p. 23 : l. 7, 17.

See § 15 : p. 19 : l. 32.

ANSWER.

After answer, testimony of witnesses may be taken by deposition. § 12 : p. 17 : l. 3.

Carrier and shipper must answer, etc., on all subjects relating to matter in controversy. § 3 : p. 37 : l. 40.

Commission may require specific, from carriers, etc. § 20 : p. 26 : l. 13.

Commission may fix reasonable time in which to answer. § 13 : p. 18 : l. 6.

[The references are to sections, pages, and lines]

APPEAL.

Petitioner in suit for money damages not liable for costs in Circuit Court nor in any subsequent stage unless they accrue upon his appeal. § 16 : p. 21 : l. 1.

In actions on Petitions for Orders other than for payment of money, to United States Supreme Court only. § 16 : p. 22 : l. 44.

To Supreme Court on Petitions for Orders other than for payment of money, not to vacate or suspend the Order of the Circuit Court appealed from. § 16 : p. 23 : l. 3.

Such appeals to have priority over all except criminal causes. § 16 : p. 23 : l. 31.

Similar priority given to appeals to Supreme Court where suits are brought to enjoin, set aside, annul, or suspend Order or Requirement of the Commission. § 16 : p. 23 : l. 34.

From interlocutory Order or Decree of Circuit Court granting or continuing an injunction in any suit against the Commission, only to United States Supreme Court. § 16 : p. 23 : l. 40.

Must be taken within thirty days from entry of Order or Decree. § 16 : p. 23 : l. 44.

Precedence given in Appellate Court over all save causes of like character and criminal causes. § 16 : p. 23 : l. 45.

In equity cases under Act and amendments, where United States is complainant, from final decree of Circuit Court only to United States Supreme Court. Act Feb. 11, 1903. § 2 : p. 39 : l. 23.

Above applies to pending cases in Circuit Court not yet decided. Same. § 2 : p. 39 : l. 21.

Appeals pending in Circuit Court of Appeals may proceed to final decree. Appeal allowed to Supreme Court as under existing law. Same. § 2 : p. 39 : l. 29.

From Order of Court on Petition of Commission to enjoin a departure from the published rate or any discrimination; right of appeal now provided by law. Elkins Act. § 3 : p. 37 : l. 26.

APPEAR.

Party may appear in person or by attorney. § 17 : p. 25 : l. 11.

Court may order carrier, etc., to, and testify before Commission. § 12 : p. 16 : l. 35.

APPLICABLE.

Duty of carrier to establish just and reasonable rates applicable to through routes. § 1 : p. 6 : l. 23.

Expediting Act of Feb. 11, 1903, to any proceeding in Equity to enforce order, etc., of Commission or any provisions of Act, etc. § 16 : p. 23 : l. 22, 24.

APPLICATION.

For enforcement of Order of Commission. § 16 : p. 22 : l. 25.

For rehearing by Commission. § 16 a : p. 24 : l. 24, 26.

For relief from provisions of long and short haul. § 4 : p. 9 : l. 20.

[The references are to sections, pages, and lines]

APPLICATION (Continued).

For switch connections. Application and complaint. § 1 : p. 7 : l. 41. § 1 : p. 8 : l. 11.

For preliminary injunctions against order, etc., of Commission, Expediting Act to apply. § 16 : p. 23 : l. 3.

Of Attorney-General for Mandamus. § 20 : p. 28 : l. 28.

APPLY.

Act does not, to transportation wholly within one State. § 1 : p. 5 : l. 31.

APPOINTED.

To vacancy, for unexpired term. § 24 : p. 32 : l. 1.

Two new Commissioners to be appointed. § 24 : p. 31 : l. 28.

APPORTIONMENT.

Of joint rates by Commission where carriers fail to agree. § 15 : p. 19 : l. 36.

APPROVAL.

Of forms of accounts, records, and memoranda to be kept by carriers, by Commission. § 20 : p. 27 : l. 31.

APPROVED.

Only accounts, etc., by Commission to be kept, etc. § 20 : p. 27 : l. 31.

ARRANGEMENT.

Common. For continuous carriage partly by railroad and partly by water. § 1 : p. 5 : l. 14. § 6 : p. 11 : l. 25.

ARRANGEMENTS.

Between common carriers. When filed with Commission, are Public Records. § 16 : p. 24 : l. 4.

Certified copies can be used as evidence. § 16 : p. 24 : l. 15.

References to. § 16 : p. 24 : l. 4. § 16 : p. 24 : l. 15. § 20 : p. 26 : l. 31. § 22 : p. 30 : l. 1. See "Agreements;" "Contracts." § 6 : p. 11 : l. 25.

ARTICLE.

After May 1, 1908, railroad company forbidden to transport article, commodity, etc., in interstate commerce produced or owned by it, etc., excepting timber and its manufactured products, and articles necessary and intended for its use in conduct of business as a common carrier. § 1 : p. 7 : l. 33, 37.

ARTIFICIAL.

Gas, natural or artificial, transported in pipe lines, etc. Persons engaged in transportation of, not subject to Act. § 1 : p. 5 : l. 6.

ASSIST.

To assist, etc., knowingly and wilfully, in obtaining transportation at less than established rates. Misdemeanor. Penalty : fine

[The references are to sections, pages, and lines]

ASSIST (Continued).

not exceeding \$5,000, imprisonment not exceeding two years, or both, in discretion of Court. § 10 : p. 14 : l. 7.

ASSOCIATION.

May complain by petition of violation of Act. § 13 : p. 17 : l. 40.

ASSOCIATIONS.

Passes to travelling secretaries of Young Men's Christian. § 1 : p. 6 : l. 37.

ATTENDANCE.

Of witnesses. See "Witnesses."

ATTENDING.

Passes to nurses, persons injured in wrecks. § 1 : p. 7 : l. 10.

ATTORNEY.

Deposition cannot be taken before counsel or attorney to either of parties. § 12 : p. 17 : l. 12.

Reasonable notice of taking deposition must be given to opposite party or his attorney. § 12 : p. 17 : l. 16.

Such notice to be given by the party or his attorney. § 12 : p. 17 : l. 15.

Party may appear in person or by attorney. § 17 : p. 25 : l. 11.

ATTORNEYS.

Common carrier subject to Act may after Jan. 1, 1907, give free tickets, free passes, or free transportation to its attorneys at law. § 1 : p. 6 : l. 35. See § 22 : p. 30 : l. 4.

Fee. Person injured by violation of Act may recover reasonable. § 8 : p. 12 : l. 37. § 16 : p. 21 : l. 2.

ATTORNEY-GENERAL.

To have direction of suits for forfeitures. § 16 : p. 22 : l. 10.

Duty of, to file notice under Expediting Act of Feb. 11, 1903. § 16 : p. 23 : l. 29.

May give consent to employment of special counsel by Commission. § 16 : p. 22 : l. 15.

In any suit in equity in which United States is complainant, may file certificate of public importance. Case given precedence over others and in every way expedited. Act Feb. 11, 1903. p. 39 : l. 4, 8.

Authorized and directed to collect forfeiture of three times amount of rebate knowingly received. Elkins Act. § 1 : p. 36 : l. 19, 20.

May of own motion or at request of Commission direct United States District Attorneys to bring proceedings to enjoin or restrain departures from published rates or any discriminations forbidden by law. Elkins Act. p. 37 : l. 28.

[The references are to sections, pages, and lines]

AUTHORITY.

After May 1, 1908, no railroad company to transport in interstate commerce article or commodity manufactured, mined, or produced by it, or under its authority, excepting, etc. § 1 : p. 7 : l. 35.

AWARD.

Of damages by Commission. § 16 : p. 20 : l. 26.

When damages awarded by Commission report shall include findings of fact on which the award is made. § 14 : p. 18 : l. 30.

B**BAGGAGE.**

Special privileges as to free, under joint interchangeable mileage tickets. § 22 : p. 30 : l. 14. See "Interchangeable."

Passes to baggage agents. § 1 : p. 7 : l. 7.

BALANCE.

Annual balance sheet to be contained in annual reports to Commission by carriers. § 20 : p. 26 : l. 29.

BENEFIT.

Person for whose, order for payment of money is made may petition United States Court if carrier does not obey order. § 16 : p. 20 : l. 33, 37.

In order other than for payment of money, any person injured by refusal, etc., of carrier to obey may petition Court. § 16 : p. 22 : l. 18, 20, 25.

BILL OF LADING.

Any common carrier, railroad, or transportation company

Receiving property for transportation

From a point in one State to a point in another State

Shall issue a receipt or bill of lading therefor. § 20 : p. 28 : l. 40.

Above are liable to lawful holder of receipt or bill of lading for

Any loss, damage, or injury to such property

Caused by it

Or by any common carrier, railroad or transportation company

To whom such property may be delivered

Or over whose line or lines such property may pass. § 20 : p. 28 : l. 43. § 20 : p. 29 : l. 3.

Liability hereby imposed shall not be exempted by any contract, receipt, rule, or regulation. § 20 : p. 29 : l. 6.

Nothing in this section shall deprive any holder of such receipt or bill of lading of any remedy or right of action which he has under existing law. § 20 : p. 29 : l. 7.

[The references are to sections, pages, and lines]

BILLING. False.

False billing

False classification

False weighing

False report of weight

Any other device or means,

By any common carrier subject to this act

Or, if such common carrier is a corporation,

By any officer or agent thereof

Or any person acting for or employed by such corporation

By which, knowingly and wilfully

Any person or persons is assisted, suffered, or permitted

To obtain transportation for property at less than regularly established rates, etc.

Penalty: fine, imprisonment, or both. § 10 : p. 14 : l. 4.

Any person and

Any officer or agent of any corporation or company

Who shall deliver property for transportation

To any common carrier subject to the provisions of this Act,

Or for whom as consignor or consignee

Any such carrier shall transport property

Who shall, knowingly and wilfully

By false billing

By false classification

By false weighing

By false representation of contents of package

By false report of weight

Or by any other device or means

With or without consent or connivance of carrier, its agent or agents,

Obtain transportation for such property

At less than regular established rates, etc.

Penalty of fine, imprisonment, or both. § 10 : p. 14 : l. 18, 23.

BOARDS.

Of Managers, National or State Homes for disabled volunteer soldiers. Arrangements for reduced rates for inmates, etc.

§ 22 : p. 30 : l. 1.

Free passes, tickets, etc., to same. § 1 : p. 6 : l. 43. § 1 : p. 7 : l. 1.

BODY POLITIC.

May complain to Commission. § 13 : p. 17 : l. 42.

BOOKS.

Production of. See "Papers."

To be kept as prescribed by Commission.

Penalty for failure or refusal, fine \$500 per day. § 20 : p. 27 : l. 37.

Penalty for keeping any other books, etc., in addition, fine, imprisonment, or both. § 20 : p. 28 : l. 9.

[The references are to sections, pages, and lines]

BRANCH.**Of Business.**

Report of common carriers subject to Act must show earnings and receipts from each branch of business. § 20 : p. 26 : l. 25.

Line.

On application of any lateral branch line of railroad, or any shipper, etc., common carrier subject to Act shall construct, maintain, and operate switch connections or private side track, upon reasonable terms, etc. § 1 : p. 7 : l. 41.

BREAK.

Of bulk. No, shall prevent carriage of freights from being treated as continuous, etc. § 7 : p. 12 : l. 20.

Unless made in good faith and without intent to avoid or unnecessarily interrupt such continuous carriage or to evade Act. § 7 : p. 12 : l. 24.

BRIDGES.

Term "railroad" shall include, etc. § 1 : p. 6 : l. 4.

BULK.

Break of. See "Break." § 7 : p. 12 : l. 20, 24.

BUSINESS.

Of any common carrier subject to Act may be investigated by Commission in any part of United States. § 19 : p. 26 : l. 4.

Commissioners shall engage in no other. § 11 : p. 15 : l. 36.

Any person who wilfully neglects or fails to make correct entries, etc., of all facts relating to carrier's business. Penalty: fine, imprisonment, or both. § 20 : p. 28 : l. 9.

Sufficient business necessary, to justify construction, etc., of switch connections or private side tracks. § 1 : p. 8 : l. 3.

Another carrier engaged in like business not entitled to use of tracks or terminal facilities, etc. § 3 : p. 9 : l. 7.

Railroad company may transport article, etc., owned, etc., necessary for its use as a common carrier, etc. § 1 : p. 7 : l. 39.

C**CALAMITOUS.**

Free carriage allowed by way of relief for calamitous visitation. § 1 : p. 7 : l. 16.

CALL.

Commission may, for monthly or special reports. § 20 : p. 27 : l. 11, 12.

CAPITAL STOCK.

Annual reports to show amount of, issued, amount paid therefor, and manner of payment. § 20 : p. 26 : l. 14, 16.

[The references are to sections, pages, and lines]

CAPITAL STOCK (Continued).

Annual reports shall show amount of, in detail. § 20 : p. 26 : l. 15.

CARETAKERS.

Of livestock. Free transportation to. § 1 : p. 7 : l. 2.

CARRIAGE.

Facilities of. Term "transportation" includes. § 1 : p. 6 : l. 14, 15.

Continuous. § 1 : p. 5 : l. 15.

In different cars, etc., to prevent continuous transit. § 7 : p. 12 : l. 17, 18, 22.

No break of bulk shall prevent carriage, etc., being continuous, etc. § 7 : p. 12 : l. 23.

Free or at reduced rates to certain persons and classes. § 1 : p. 6 : l. 30. § 22 : p. 29 : l. 31.

Reference to word. § 3 : p. 37 : l. 3.

CARRIED.

Reference to. § 1 : p. 5 : l. 26, 28.

CARRIER.

Word shall be held to mean common carrier wherever it occurs in Act. § 6 : p. 12 : l. 7.

CARRIER. CARRIERS. References to Word.

§ 6 : p. 9 : l. 45.

§ 6 : p. 10 : l. 3.

§ 6 : p. 11 : l. 15, 22, 34, 38, 39, 45.

§ 6 : p. 12 : l. 11.

§ 10 : p. 14 : l. 21, 26.

§ 13 : p. 18 : l. 9, 11.

§ 15 : p. 19 : l. 11, 33, 39.

§ 16 : p. 20 : l. 28, 31, 36, 37.

§ 16 : p. 21 : l. 14, 23, 29, 31, 39, 40.

§ 16 : p. 22 : l. 6, 8, 18, 22, 35, 38.

§ 16 : p. 23 : l. 8, 13, 14, 16.

§ 16 : p. 24 : l. 7, 27.

§ 20 : p. 26 : l. 13, 20, 28, 46.

§ 20 : p. 27 : l. 24, 30, 35, 36, 38.

§ 1 : p. 35 : l. 3, 7.

§ 1 : p. 36 : l. 4.

§ 2 : p. 36 : l. 39, 45.

§ 3 : p. 37 : l. 25, 39, 43.

CARRIER.

To keep no other accounts, etc., than as prescribed or approved by Commission. § 20 : p. 27 : l. 29.

Penalty. \$500 per day. § 20 : p. 27 : l. 37. Also fine or imprisonment, or both. § 20 : p. 28 : l. 9.

[The references are to sections, pages, and lines]

CARRIER (Continued).

Failure to submit accounts, etc., to inspection of Commission.

Penalty: \$500 per day. § 20 : p. 27 : l. 37, 44.

False entries if wilful in carriers' books. Penalty: fine, imprisonment, or both. § 20 : p. 28 : l. 1.

Subject to Provisions of Act.

§ 1 : p. 6 : l. 20, 30.

§ 20 : p. 27 : l. 24, 29.

§ 1 : p. 34 : l. 30.

CARRIER. CARRIERS. Common. References to.

§ 1 : p. 5 : l. 11.

§ 1 : p. 6 : l. 1.

§ 1 : p. 7 : l. 12, 16, 39.

§ 1 : p. 8 : l. 7.

§ 2 : p. 8 : l. 32.

§ 3 : p. 9 : l. 7.

§ 4 : p. 9 : l. 27.

§ 6 : p. 10 : l. 8, 33, 44.

§ 6 : p. 11 : l. 21, 26.

§ 9 : p. 13 : l. 1.

§ 10 : p. 13 : l. 21.

§ 10 : p. 14 : l. 2, 20, 44.

§ 10 : p. 15 : l. 10.

§ 12 : p. 16 : l. 2.

§ 13 : p. 18 : l. 4, 7, 11.

§ 14 : p. 18 : l. 36.

§ 16 : p. 21 : l. 36.

§ 16 : p. 24 : l. 5.

§ 20 : p. 28 : l. 32, 33.

§ 20 : p. 29 : l. 1, 5, 10, 12.

§ 22 : p. 29 : l. 40.

§ 22 : p. 30 : l. 24, 28, 32.

§ 23 : p. 31 : l. 5, 8, 12, 13, 16.

Elkins Act. § 1 : p. 36 : l. 10.

Elkins Act. § 3 : p. 37 : l. 3.

CARRIER. CARRIERS. Common. Subject to Provisions of Act. References to.

§ 1 : p. 6 : l. 20, 30.

§ 1 : p. 7 : l. 40.

§ 1 : p. 36 : l. 2, 10.

§ 2 : p. 8 : l. 21, 32.

§ 3 : p. 8 : l. 35, 44.

§ 3 : p. 9 : l. 7.

§ 4 : p. 9 : l. 10, 11.

§ 5 : p. 9 : l. 29.

§ 6 : p. 9 : l. 39.

§ 6 : p. 10 : l. 27, 33.

§ 6 : p. 11 : l. 24.

§ 7 : p. 12 : l. 14, 29, 33, 42.

§ 9 : p. 12 : l. 42.

§ 10 : p. 13 : l. 19, 21.

§ 10 : p. 14 : l. 1, 2, 20, 40.

§ 12 : p. 15 : l. 43.

§ 13 : p. 17 : l. 44.

§ 15 : p. 19 : l. 7.

§ 19 : p. 26 : l. 5.

§ 20 : p. 26 : l. 9, 36, 46.

§ 20 : p. 27 : l. 24.

Elkins Act. § 1 : p. 34 : l. 19, 30, 41.

Elkins Act. § 1 : p. 36 : l. 2.

No officer or employee of, eligible for Commission. § 11 : p. 15 : l. 32.

Nor any person pecuniarily interested in or owning stock or bonds of. § 11 : p. 15 : l. 33.

CARRIER. Common, within Terms of Act. Reference to.

§ 4 : p. 9 : l. 18.

[The references are to sections, pages, and lines]

CARRIER (Continued).**Common, within Meaning and Purpose of Act. Reference to.**

§ 1 : p. 5 : l. 9.

Common.

May complain of unjust, unreasonable, and unjustly discriminatory rates, charges, regulations, or practices, etc., of another common carrier subject to provisions of Act. § 15 : p. 19 : l. 5.

Duty to observe and comply with orders of Commission. § 16 : p. 21 : l. 38.

Common. Bill of Lading. Liability.

Common carrier, railroad or transportation company

Receiving property for transportation

From a point in one State

To a point in another State

Shall issue receipt or bill of lading therefor. § 20 : p. 28 : l. 30.

Shall be liable to lawful holder thereof

For any loss, damage, or injury to such property

Caused by it

Or by any common carrier, railroad, or transportation company

To which such property may be delivered

Or over whose line or lines such property may pass. § 20 : p. 28 : l. 40. § 20 : p. 29 : l. 4.

Cannot exempt itself from above liability by contract, receipt, rule, or regulation. § 20 : p. 29 : l. 5.

Nothing in section shall deprive

Any holder of such receipt or bill of lading

Of any remedy or right of action

Which he has under existing law. § 20 : p. 29 : l. 7.

Common carrier, railroad or transportation company

Issuing such receipt or bill of lading

May recover from carrier, etc., on whose line the damage, etc., sustained

The amount of such damage, etc.

As it may be required to pay to the owners of such property

As evidenced by any receipt, judgment, or transcript thereof. § 20 : p. 29 : l. 10 to 17.

CARRIER.

Corporation common. § 1 : p. 34 : l. 19.

CARRIERS.**Common.**

What persons and corporations are common carriers within the meaning and purpose of the Act. § 1 : p. 5 : l. 10.

1. Persons or corporations engaged in transportation of oil or other commodity by pipe lines, etc. § 1 : p. 5 : l. 5.

Except water and natural or artificial gas. § 1 : p. 5 : l. 6.

[The references are to sections, pages, and lines]

CARRIERS. Common (Continued).

2. Any common carrier engaged in transportation of passengers or property in interstate commerce, etc., etc. § 1 : p. 5 : l. 11.
3. Express companies. § 1 : p. 6 : l. 2.
4. Sleeping car companies. § 1 : p. 6 : l. 2.

Connecting.

Power of Commission to establish through routes and joint rates to apply where one of, is a water line. § 15 : p. 20 : l. 5.

CARRY.

Special agents may be appointed to carry out, etc., Act. § 20 : p. 28 : l. 35.

CARS.

Included in term "transportation." § 1 : p. 6 : l. 13.

Carrier must furnish cars for movement of interstate traffic over switch connections, etc., to best of its ability without discrimination. § 1 : p. 8 : l. 5.

Carriage in different, to prevent continuous interstate transportation. Unlawful. § 7 : p. 12 : l. 18.

Mandamus to command carrier to furnish cars, etc. § 23 : p. 31 : l. 14.

Passes to employees in sleeping and express cars. § 1 : p. 7 : l. 3.

CASE.

Action on Case. Consignor or consignee discriminated against to have action on the case against common carrier, etc. § 10 : p. 15 : l. 10.

CAUSE.

Or Proceeding. In any, witnesses must attend and testify on subpoena of Commission. Act Feb. 11, 1893. p. 32 : l. 36, 37, 38.

After, is at issue, depositions may be taken. § 12 : p. 17 : l. 2.

Of action, Petitions, etc. Limitations as to filing, etc. See "Limitation of Actions."

CAUSES.

Of accidents. To be reported to Commission. § 20 : p. 26 : l. 23.

Pending, not affected by Act of June 29, 1906. § 10 : p. 32 : l. 13.

CERTIFICATE.

For expediting cases under Act Feb. 11, 1903. Duty of Attorney-General to file certificate in all suits against the Commission to enjoin, set aside, annul, etc., Orders or Requirements. § 16 : p. 23 : l. 29.

Under Expediting Act Feb. 11, 1903.

To be filed by Attorney-General. p. 39 : l. 4.

What certificate must contain. p. 39 : l. 5.

Copy furnished by Clerk to each Circuit Judge. p. 39 : l. 6.

[The references are to sections, pages, and lines]

CERTIFICATE. Under Expediting Act Feb. 11, 1903 (Continued).

Hearing before three Circuit or two Circuit and one District Judge.
p. 39 : l. 11.

If Judges divided in opinion, case to be certified to Supreme Court
for Review. p. 39 : l. 16.

CERTIFIED.

Copies. See "Copies."

In case of division of opinion in Circuit Court in suits against Com-
mission to enjoin, annul, etc., Order, case to be, to Supreme
Court. Act Feb. 11, 1903. p. 39 : l. 15.

CHAIRMAN.

Of Commission to approve vouchers. § 18 : p. 25 : l. 39.

CHANCELLOR.

Of Court. Depositions may be taken before. § 12 : p. 17 : l. 9.

CHANGE.

Commission may change, etc., its Orders, etc. § 16 a : p. 24 :
l. 38, 40. § 15 : p. 19 : l. 31.

CHANGES.

In rates, etc., thirty days' notice. § 6 : p. 10 : l. 45. § 6 : p. 11 :
l. 2, 5.

In joint rates, thirty days' notice. § 6 : p. 10 : l. 43.

Change in schedule in force to be plainly stated. § 6 : p. 11 : l. 2.

New schedule to be printed showing proposed changes. § 6 : p. 11 :
l. 5.

Also time when changes will go into effect. § 6 : p. 11 : l. 3.

Commission may allow changes, etc., on less than thirty days'
notice in its discretion and for good cause shown. § 6 : p. 11 :
l. 9.

In form of schedules prescribed by Commission, may be authorized
by it. § 6 : p. 11 : l. 32.

CHARGE.

Every unjust and unreasonable charge prohibited. § 1 : p. 6 :
l. 27.

Unlawful to charge greater compensation for shorter than for
longer distance, etc. § 4 : p. 9 : l. 11. See "Haul."

Charge and allowance for service, etc., rendered by owner or instru-
mentality furnished by him shall be no more than is just and
reasonable. § 15 : p. 20 : l. 10.

The Commission may after hearing, on complaint, determine max-
imum reasonable charge for such service or for use of instru-
mentality. § 15 : p. 20 : l. 11. See "Switch."

Shall not charge greater or less compensation for one than from
another for transporting like traffic under substantially similar
circumstances, etc. § 2 : p. 8 : l. 23, 28. See "Compen-
sation."

[The references are to sections, pages, and lines]

CHARGED.

If found to be unjust, unreasonable, discriminatory, etc., Commission may prescribe maximum rates, etc., to be charged. § 15 : p. 9 : l. 7.

Rates charged for transportation through a foreign country to any place in United States must be printed and posted. § 6 : p. 10 : l. 33.

CHARGES. See "File."

All charges to be just and reasonable. § 1 : p. 6 : l. 26.

Shall not discriminate in rates and charges, etc., between connecting lines. § 3 : p. 9 : l. 5.

Commission may prescribe maximum charges, etc. § 15 : p. 19 : l. 16, 17.

Icing, terminal, storage, and all other charges which Commission may require, shall be printed and posted. § 6 : p. 10 : l. 11, 12, 13.

Charges for transportation to be printed and published and filed with Commission, etc., etc. § 6 : p. 9 : l. 43.

Unless charges, etc., filed and published carrier, etc., shall not engage in transportation. § 6 : p. 11 : l. 37.

Joint charges on interchangeable mileage tickets. § 22 : p. 30 : l. 30, 34.

Must file, etc., charges, etc., between different points on own route. § 6 : p. 9 : l. 44.

Also between points on own route and on route of other carrier by railroad, pipe line, or water when through route and joint rate established. § 6 : p. 10 : l. 2.

No change in joint charges, etc., except on thirty days' notice. § 6 : p. 10 : l. 43.

If there is a through route but no through rate, the separately established charges, etc., to be filed. § 6 : p. 10 : l. 5.

Unlawful discrimination in charges, etc. Penalty : fine, imprisonment, or both. § 10 : p. 13 : l. 41.

Statement of, in complaint, to be forwarded by Commission to common carrier. § 13 : p. 18 : l. 4.

Printed and posted, shall be preserved as Public Records in custody of Secretary of Commission. § 16 : p. 24 : l. 4.

Shall be received as prima facie evidence in investigations of Commission and in all judicial proceedings. § 16 : p. 24 : l. 12.

Certified copies of schedules of rates, charges, etc., to be received in evidence with like effect as originals. § 16 : p. 24 : l. 17.

CHARITABLE.

Institutions.

Inmates of, may be given free transportation. § 1 : p. 6 : l. 37.

See § 22 : p. 29 : l. 36.

Purposes.

Property may be transported free or at reduced rates for. § 22 : p. 29 : l. 34.

[The references are to sections, pages, and lines]

CHARITABLE SOCIETIES.

Transporting destitute and homeless persons. Free carriage.

§ 1 : p. 6 : l. 40. § 22 : p. 29 : l. 36.

Also necessary agents employed in such transportation. § 1 : p. 6 : l. 42. § 22 : p. 29 : l. 37.

CHRISTIAN ASSOCIATIONS, RAILROAD.

Passes to travelling secretaries of Young Men's. § 1 : p. 6 : l. 37.

CIRCUMSTANCES.

Substantially similar. Unjust discrimination under, forbidden. § 2 : p. 8 : l. 31.

No greater charge for shorter than for longer distance, etc., under substantially similar circumstances, etc. § 4 : p. 9 : l. 14.

Commission may allow changes in rates in less than thirty days' notice under. Special or peculiar circumstances. § 6 : p. 11 : l. 13.

CIVIL.

Action. To be brought by Attorney-General to recover three times amount of rebate, etc., received. § 1 : p. 36 : l. 25.

CLAIM.

That testimony may criminate, no excuse for not testifying, etc. See "Witness." § 12 : p. 16 : l. 39.

CLAIMS.

Limitation of time within which, may be presented, etc. See "Limitation of Actions."

CLASSIFICATION.

To be printed in the schedules published and filed. § 6 : p. 10 : l. 10.

False classification. Penalty. § 10 : p. 14 : l. 5, 23.

CLAUSE.

Commission may suspend long and short haul clause. § 4 : p. 9 : l. 20.

CLERK.

U. S. District or Circuit.

Depositions may be taken before. § 12 : p. 17 : l. 8.

U. S. Circuit Court.

To give copy of certificate under Expediting Act, Feb. 11, 1903, to each Circuit Judge. Act Feb. 11, 1903, p. 39 : l. 5.

COLLECT.

Greater or less compensation for any service rendered, etc., is unjust discrimination, hereby prohibited and declared to be unlawful. § 2 : p. 8 : l. 24, 28. See "Charge."

Shall not collect greater, less, or different compensation than published rates. § 6 : p. 11 : l. 40.

[The references are to sections, pages, and lines]

COLLECT (Continued).

Shall not collect, etc., greater or less compensation than published rates for transportation of persons or baggage under joint, interchangeable mileage tickets. § 22 : p. 30 : l. 34.

Carrier may be ordered by Commission to, no higher than maximum prescribed rate. § 15 : p. 19 : l. 24.

COLLECTED.

If charges collected are unjust, etc., maximum may be prescribed by Commission. § 15 : p. 19 : l. 7, 22.

Reasonable attorney's fee to be, as part of costs in suit by person for whose benefit Commission has made an Order. § 16 : p. 21 : l. 3.

COMBINATION.

Pooling, prohibited. § 5 : p. 9 : l. 31.

To divide earnings, etc., prohibited. § 5 : p. 9 : l. 33.

To prevent continuous carriage by change in time schedule, etc., unlawful. § 7 : p. 12 : l. 16.

COMMERCE.

Regulation of. Report of Commission to Congress to contain information and data of value relating to determination of questions of. § 21 : p. 29 : l. 25.

COMMISSION.**Accounts.**

Shall have access to. § 20 : p. 27 : l. 28.

Unlawful to keep any other accounts, etc., than prescribed or approved by Commission. § 20 : p. 27 : l. 29. Penalty. § 20 : p. 27 : l. 41. § 20 : p. 28 : l. 9.

Above applies also to Receivers and operating Trustees. § 20 : p. 27 : l. 36.

May employ special agents or examiners to inspect and examine accounts, etc. § 20 : p. 27 : l. 32.

May prescribe uniform system of accounts. § 20 : p. 26 : l. 37.

May prescribe manner of keeping accounts. § 20 : p. 26 : l. 38.

May prescribe forms of accounts, etc. § 20 : p. 27 : l. 32.

Act.

Duty to execute and enforce Act. § 12 : p. 16 : l. 6.

Authority to inquire into management of common carriers subject to Act. § 12 : p. 15 : l. 41.

Failure to obey or violation of. May request Attorney-General to apply for Writ of Mandamus. § 20 : p. 28 : l. 26.

May appoint special agents or examiners to carry out Act. Power in agents, etc., to administer oaths, take testimony, etc. § 20 : p. 28 : l. 35.

Every vote and official Act to be of Record. § 17 : p. 25 : l. 12.

[The references are to sections, pages, and lines]

COMMISSION (Continued).**Additional.**

Commissioners, successors of additional. How appointed. § 24 : p. 31 : l. 34.

Affected.

May make any person affected, etc., parties and subject to Orders and Decrees. § 1 : p. 36 : l. 37.

Affirmations.

May administer. § 17 : p. 25 : l. 16, 17.

Aid.

May invoke aid of Court to require attendance of witnesses, testimony, etc. § 12 : p. 16 : l. 26.

Allowance.

May fix reasonable maximum allowance for services and instrumentalities furnished by owner, etc. § 15 : p. 20 : l. 8.

Amend.

May amend general rules of procedure. § 17 : p. 25 : l. 6.

Annual.

May print its annual reports. § 14 : p. 18 : l. 44.

May require annual reports from carriers. § 20 : p. 26 : l. 8.

May extend time for filing annual reports of carriers. § 20 : p. 26 : l. 45.

Must make its annual report on or before December 1 of each year. § 21 : p. 29 : l. 19.

Annual Salary.

Each \$7,500. § 18 : p. 25 : l. 20.

Annual salary. Increased to \$10,000 each. § 24 : p. 31 : l. 30.

Annul.

Suits against Commission to annul, set aside, etc. § 16 : p. 23 : l. 7.

Answer.

May require specific answer from carriers. § 20 : p. 26 : l. 13.

May fix reasonable time for answer. § 13 : p. 18 : l. 6.

Appointed.

Two new Commissioners to be. § 24 : p. 31 : l. 28.

Person, to fill vacancy, only for unexpired term. § 24 : p. 32 : l. 1.

Apportion.

May, divisions of joint rates, etc. § 15 : p. 19 : l. 38.

Attorney-General.

With consent of, may employ special counsel. § 16 : p. 21 : l. 15.

May request, to direct District Attorneys to file Petition to enforce observance of published tariffs and to require discontinuance of discrimination. Elkins Act. § 3 : p. 37 : l. 29.

[The references are to sections, pages, and lines]

COMMISSION (Continued).**Award.**

Of damages. § 16 : p. 20 : l. 26.

Books and Papers, etc.

May summon witnesses to produce. § 12 : p. 16 : l. 19. See "Papers."

Business.

Of common carrier. May prosecute inquiry relating to, in any part of United States. § 19 : p. 26 : l. 1.

Commissioners shall not engage in any other. § 11 : p. 15 : l. 36.

Call.

May call for monthly reports of earnings and expenses. § 20 : p. 27 : l. 11.

May call for special reports. § 20 : p. 27 : l. 12.

Carrier.

No officer or employee of common carrier, etc., eligible for Commission. § 11 : p. 15 : l. 32.

No one holding stock or bonds of, eligible. § 11 : p. 15 : l. 33.

May require specific answer from. § 20 : p. 26 : l. 13.

May prescribe forms of accounts, etc., to be kept by. § 20 : p. 27 : l. 22.

Unlawful for, to keep any other accounts than prescribed or approved by Commission. § 20 : p. 27 : l. 29. Penalty. § 20 : p. 28 : l. 9.

Above prohibition applies to Receivers and Operating Trustees of. § 20 : p. 27 : l. 36.

Inquiry as to business of. Any one of Commission may prosecute in any part of United States. § 19 : p. 26 : l. 1.

May be ordered to collect no higher rate than maximum prescribed by Commission. § 15 : p. 19 : l. 24.

Carry out Act.

May appoint special agents or examiners to. § 20 : p. 28 : l. 35.

Change.

In rates. May modify provision in Act as to thirty days' notice. § 1 : p. 11 : l. 8.

May change, etc., its orders. § 15 : p. 19 : l. 31. § 16 a : p. 24 : l. 38.

Charge.

May determine reasonable maximum, for services and instrumentalities furnished by Owner, etc. § 15 : p. 20 : l. 8.

May determine and prescribe maximum rate or charge. § 15 : p. 19 : l. 24. See also "Switch."

Charges.

May require other, than terminal, storage, and icing to be put in schedules. § 6 : p. 10 : l. 13.

May prescribe maximum charges. § 15 : p. 19 : l. 16, 17.

[The references are to sections, pages, and lines]

COMMISSION (Continued).

Clause.

Long and Short Haul. May suspend. § 4 : p. 9 : l. 20.

Collect.

Carrier may be ordered to, no higher rate than maximum prescribed by Commission. § 15 : p. 19 : l. 24.

Compensation.

May prescribe reasonable, etc., for switch connection. § 1 : p. 8 : l. 14.

May prescribe reasonable, etc., for services rendered and instrumentality furnished by owner. § 15 : p. 20 : l. 12.

Complaints.

Limitation of time for filing. See "Limitation of Actions."

Complaints for.

Failure to install or operate switch connections. § 1 : p. 8 : l. 10.

Duty to investigate complaints. § 13 : p. 18 : l. 14. See "Complaints."

Complaints to.

See "Complaints."

Conclusion.

Of Commission to be stated in Reports. § 14 : p. 18 : l. 28.

Conditions.

Of operating through routes. May prescribe. § 15 : p. 19 : l. 44.

Confirmed.

Commissioners to be, by U. S. Senate. § 24 : p. 31 : l. 35.

Conform.

May order carrier to conform to prescribed regulations or practice. § 15 : p. 19 : l. 25.

Congress.

Annual report of Commission to be transmitted to. § 21 : p. 29 : l. 20, 21.

Contain.

What report on an investigation must contain.

If no damages are awarded, report shall state the conclusions together with its decision, order, or requirement. § 14 : p. 18 : l. 29.

If damages are awarded, report shall include the findings of fact on which award is made. § 14 : p. 18 : l. 31.

Annual report of Commission shall contain —

1. Information or data collected by Commission.
2. Recommendations as to additional legislation.
3. Names and compensation of persons employed by Commission. § 21 : p. 29 : l. 18 to 29.

[The references are to sections, pages, and lines]

COMMISSION (Continued).**Contracts.**

May call for information as to, etc. § 20 : p. 26 : l. 30.

Copies.

Of annual reports of Commission distributed as other reports transmitted to Congress. § 21 : p. 29 : l. 22.

Counsel.

Special. May employ, with consent of Attorney-General. § 16 : p. 21 : l. 15.

Court. May invoke aid of court to force witnesses to testify, etc. § 12 : p. 16 : l. 26.

Order, etc., may be enjoined, set aside, etc., by Court. § 16 : p. 23 : l. 7. § 15 : p. 19 : l. 32.

May petition court directly to restrain departure from published rates or any discrimination forbidden by law. Elkins Act. § 3 : p. 37 : l. 1.

Damages.

Award of, by Commission. § 16 : p. 20 : l. 26.

Days.

Five, notice and Hearing before an injunction against Commission can be issued. § 16 : p. 23 : l. 39.

May modify provision for thirty days' notice of change of rates. § 1 : p. 11 : l. 8.

Decision.

Of Commission to be in Report. § 14 : p. 18 : l. 29.

May be reversed, changed, or modified by it. § 16 a : p. 24 : l. 18, 37, 39.

Decisions.

Commission may publish their. § 14 : p. 18 : l. 37.

May be enjoined, set aside, etc., by Court. § 15 : p. 19 : l. 32. § 16 : p. 23 : l. 7.

Decree.

May make any person interested a Party and subject to. § 1 : p. 36 : l. 37.

Departure.

From published rate. May restrain by Petition in Court. Elkins Act. § 3 : p. 37 : l. 1.

Deposition.

May order testimony taken by. § 12 : p. 17 : l. 3.

Desist.

May order carrier to, from violation of Act. § 15 : p. 19 : l. 20.

Determine.

On complaint, maximum just and reasonable rates. § 15 : p. 19 : l. 15.

[The references are to sections, pages, and lines]

COMMISSION. Determine (Continued).

Just, fair, and reasonable regulation or practice. § 15 : p. 19 : l. 15.
Reasonable compensation for switch connection, etc. § 1 : p. 8 : l. 13.

Just and reasonable maximum charge, to be paid by carrier, etc., for services rendered or instrumentalities furnished by owner. § 15 : p. 20 : l. 8.

Division of joint rates. § 15 : p. 19 : l. 37.

Division of joint rates where one of connecting carriers is a water line. § 15 : p. 20 : l. 6.

Discontinue.

May ask Attorney-General to direct District Attorneys to petition Court to, discrimination forbidden by law. Elkins Act. § 3 : p. 37 : l. 5, 22.

Discretion.

May grant rehearings in its. § 16 a : p. 24 : l. 23.

Form of accounts. § 20 : p. 27 : l. 22.

Discrimination.

May petition Court to restrain any, forbidden by law. Elkins Act. § 3 : p. 37 : l. 1.

Disqualifies.

Pecuniary interest, Commissioners. § 17 : p. 25 : l. 4.

Distributed.

Copies of Commission's reports, as other reports transmitted to Congress. § 21 : p. 29 : l. 22.

Division. See above, "Determine."**Divulge.**

May authorize special agents and examiner to, acts. § 20 : p. 28 : l. 18.

Duty.

To investigate complaints. § 13 : p. 18 : l. 4, 17.

To make report in writing. § 14 : p. 18 : l. 27.

To determine, on complaint, maximum, just, and reasonable rates. § 15 : p. 19 : l. 15.

To determine just, fair, and reasonable regulation or practice. § 15 : p. 19 : l. 17.

Just and reasonable maximum charge for services, etc., rendered by Owner of property, etc. § 15 : p. 20 : l. 8.

Reasonable compensation for switch connections, etc. § 1 : p. 8 : l. 13.

To execute and enforce Act. § 12 : p. 16 : l. 6. See "Complaint;" "Prescribe." See other sub-headings.

To investigate complaints. § 13 : p. 18 : l. 4.

[The references are to sections, pages, and lines]

COMMISSION (Continued).

Earnings and Expenses.

May call for monthly reports of. § 20 : p. 27 : l. 11.

Either Party.

At request of, proceedings shall be public. § 17 : p. 25 : l. 13.

Employ.

May, special counsel with consent of Attorney-General. § 10 : p. 21 : l. 15.

May, other employees and fix compensation. § 18 : p. 25 : l. 26.

Names and compensation of employees to be in annual report to Congress. § 21 : p. 29 : l. 28.

Employee.

No, or officer of common carrier subject to Act, etc., etc., eligible for position on Commission. § 11 : p. 15 : l. 32.

Enforce.

Shall, provisions of Section 6 as to joint rates, etc., upon joint interchangeable mileage tickets. § 22 : p. 30 : l. 29.

To execute and enforce Act. § 12 : p. 16 : l. 6.

Enforcement.

May file petition in Court for, of its Orders. § 16 : p. 22 : l. 21.

Enjoined.

Orders of Commission may be, etc., by Court. § 16 : p. 23 : l. 7.

See § 15 : p. 19 : l. 32.

Enumeration.

Of powers of Commission in Section 15 not exclusive. § 15 : p. 20 : l. 19.

Establish.

May establish through routes, all rail or part water part rail. § 15 : p. 19 : l. 42.

Established.

Commission, by law. § 11 : p. 15 : l. 15.

Evidence.

Publication of Commission are, of reports and decisions, without further proof in all United States and State Courts. § 14 : p. 18 : l. 40.

Findings and orders prima facie evidence in suits on orders for payment of money. § 16 : p. 20 : l. 42.

Examiners.

May employ, etc., to inspect and examine accounts, etc. § 20 : p. 27 : l. 32.

May direct, to divulge facts. § 20 : p. 28 : l. 18.

May appoint, etc., to carry out Act and amendments, with power to administer oaths, take testimony, etc. § 20 : p. 28 : l. 35.

[The references are to sections, pages, and lines]

COMMISSION (Continued).**Exclusive.**

Enumeration of powers in Section 15, not. § 15 : p. 20 : l. 19.

Excuse.

May excuse carrier from performance pending rehearing. § 16 a : p. 24 : l. 30.

Execute.

Duty to, Act. § 12 : p. 16 : l. 6.

Expenditures.

May prescribe forms of accounts, etc., relating to, of money, etc. § 20 : p. 27 : l. 22.

Expenses.

Of Commission for investigations, etc., paid on presentation of vouchers approved by Chairman of Commission. § 18 : p. 25 : l. 33.

Expiration.

Of terms of the two new Commissioners created by Act June 29, 1906.

To expire Dec. 31, 1911, and Dec. 31, 1912, respectively. § 24 : p. 31 : l. 37.

Of terms of Commissioners in office prior to Act June 29, 1906, as now provided by law. § 24 : p. 31 : l. 42.

Extend.

May, time for filing annual reports of carriers. § 20 : p. 26 : l. 45.

Facts.

Commission may direct special agents and examiners to divulge facts, etc. § 20 : p. 28 : l. 18.

Failure.

To obey, or violation of Act. May request Attorney-General to apply for Writ of Mandamus. § 20 : p. 28 : l. 26.

Fair.

May determine fair, etc., regulation or practice. § 15 : p. 19 : l. 18, 19.

Fares.

May call for information as to, etc. § 20 : p. 26 : l. 30.

File.

May, petition for enforcement of its Orders. § 16 : p. 22 : l. 21.

Filed.

Copies of schedules and tariffs of rates, etc., contracts, etc., with Commission to be preserved as public records in custody of Secretary. § 16 : p. 24 : l. 4.

[The references are to sections, pages, and lines]

COMMISSION (Continued).**Filing.**

May extend time for, annual reports of carriers. § 20 : p. 26 : l. 45.

Fill.

Person appointed to, vacancy appointed only for unexpired term. § 24 : p. 32 : l. 2.

Five.

Days' notice. Commission must have, also Hearing before injunction granted. § 16 : p. 23 : l. 39.

Fix.

See "Prescribe."

May, reasonable time for answer. § 13 : p. 18 : l. 6.

May, compensation of employees appointed by it. § 18 : p. 25 : l. 26.

Names and compensation of such employees to be in annual report to Congress. § 21 : p. 29 : l. 28.

Forbidden.

May petition Court to restrain departures from published rates or any discrimination forbidden by law. § 3 : p. 37 : l. 1.

Form.

May prescribe, of schedules and change same. § 6 : p. 11 : l. 29.

Of procedure. Such as will best conduce to proper dispatch of business and to ends of justice. § 17 : p. 24 : l. 43.

Of notices. May make or amend. § 17 : p. 25 : l. 7.

Forms.

Of accounts, records, memoranda to be kept by carriers. May prescribe. § 20 : p. 27 : l. 22.

General.

Rules for procedure. May make. § 17 : p. 25 : l. 6.

Grant.

May, rehearings. § 16 a : p. 24 : l. 23.

Haul.

Long and short. May suspend. § 4 : p. 9 : l. 20.

Hearing.

And five days' notice before injunction issued against Commission. § 16 : p. 23 : l. 39.

Higher.

May order carrier to collect no higher rate than what Commission determines to be just and reasonable rate, etc. § 15 : p. 19 : l. 24.

Impair.

Vacancy on Commission not to, powers of remaining Commissioners. § 11 : p. 15 : l. 37.

[The references are to sections, pages, and lines]

COMMISSION (Continued).

Information.

May call for, as to rates, fares, contracts, etc. § 20 : p. 26 : l. 30.

Right to call for full and complete, from carriers necessary to perform its duties, etc. § 12 : p. 16 : l. 2.

Informed.

Shall keep itself, as to manner in which carriers subject to Act manage business. § 12 : p. 15 : l. 44.

Injunction.

Before, granted Hearing and five days' notice to Commission must be given. § 16 : p. 23 : l. 39.

Inquire.

Commission may, of its own motion, although no complaint filed. § 13 : p. 18 : l. 21.

May, into management of business of all common carriers subject to Act. § 12 : p. 15 : l. 41.

Inquiry.

Any one of the Commissioners may prosecute, relating to business of common carrier subject to Act. § 19 : p. 26 : l. 1.

Inspect.

May employ special agents or examiners to inspect, etc., accounts. § 20 : p. 27 : l. 32.

Instrumentality.

Of transportation furnished by owner, etc. Commission may determine maximum, just, and reasonable charge therefor to be paid by carrier, etc. § 15 : p. 20 : l. 9, 12.

Interchangeable.

Joint mileage tickets. Shall enforce provisions of Section 6 as to. § 22 : p. 30 : l. 29.

Interest.

Pecuniary, disqualifies any Commissioner. § 17 : p. 25 : l. 4.

Interested.

No one pecuniarily, in common carrier subject to Act shall enter upon duties of or hold office of Commissioner. § 11 : p. 15 : l. 34.

All persons, in the rate, regulation, or practice under consideration may be made Parties, subject to Order, decree, etc. Elkins Act. § 1 : p. 36 : l. 39.

Investigate.

Duty to, complaints. § 13 : p. 18 : l. 14.

Safety of switch connections. § 1 : p. 8 : l. 13.

[The references are to sections, pages, and lines]

COMMISSION (Continued).

Investigation.

Report to be in writing and to state conclusions, order, etc. § 14 : p. 18 : l. 26.

Invoke.

May, aid of Court to require attendance, etc., of witnesses. § 12 : p. 16 : l. 26.

Issue.

May, subpoenas. § 17 : p. 25 : l. 16, 17.

Joint Rates.

Provisions of Section 6 as to, shall be enforced by Commission as to joint interchangeable mileage tickets. § 22 : p. 30 : l. 29.

May apportion divisions of joint rates, etc. § 15 : p. 19 : l. 38. § 15 : p. 20 : l. 6.

May prescribe maximum charges on joint rates. § 15 : p. 19 : l. 36.

Judicially.

Official seal shall be, noticed. § 17 : p. 25 : l. 15.

Just and Reasonable.

Rates and charges. Maximum. Commission to determine on complaint made under provisions of Section 13. § 15 : p. 19 : l. 15.

Just and Reasonable Maximum Charge.

To be paid by carrier, etc., for services rendered or instrumentalities furnished by owner, etc. § 15 : p. 20 : l. 8.

Just, Fair, and Reasonable.

Regulations or practice. To determine on complaint made under provisions of Section 13. § 15 : p. 19 : l. 18, 19.

Keep.

Shall, itself informed as to manner and method in which business of carriers is conducted. § 12 : p. 15 : l. 44.

Keeping Accounts.

Manner of. May prescribe uniform system and manner of. § 20 : p. 26 : l. 38.

Law.

Discrimination forbidden by, may be restrained by Commission by petition in Court. Elkins Act. § 3 : p. 37 : l. 1.

Long and Short Haul Clause.

Commission may suspend, in special cases. § 4 : p. 9 : l. 20.

Management.

May inquire into, of all common carriers subject to Act. § 12 : p. 15 : l. 41.

Mandamus.

May request Attorney-General to apply for, in cases of failure to obey, or violation of Act. § 20 : p. 28 : l. 26. See § 23 : p. 30 : l. 31.

[The references are to sections, pages, and lines]

COMMISSION (Continued).**Manner.**

Of keeping accounts. May prescribe. § 20 : p. 26 : l. 38.

May prescribe, in which annual reports shall be made. § 20 : p. 26 : l. 11.

In which business of common carriers subject to Act is conducted, also the method. § 12 : p. 15 : l. 44.

Maximum.

May determine, etc., after full hearing, on complaint, etc., maximum, just, and reasonable rates and charges. § 15 : p. 19 : l. 15.

Joint rates on through routes, etc. § 15 : p. 19 : l. 36.

Just, fair, and reasonable regulation or practice. May determine on complaint. § 15 : p. 19 : l. 18, 19.

Just and reasonable maximum charge to be paid by carrier, etc., for services rendered or instrumentalities furnished by owner. § 15 : p. 20 : l. 8. See "Switch."

Memoranda, etc.

May prescribe forms of, etc., to be kept by carriers, etc. § 20 : p. 27 : l. 22.

Mileage Tickets.

Joint interchangeable. Shall enforce provisions of Section 6 upon. § 22 : p. 30 : l. 29.

Modify.

May, law as to thirty days' notice of change of rates, etc. § 1 : p. 11 : l. 8.

May modify, suspend, etc., its Orders. § 15 : p. 19 : l. 31. § 16 a : p. 24 : l. 38.

Court may, set aside, and suspend, etc., Commission's orders. § 15 : p. 19 : l. 32. § 16 : p. 23 ; l. 7, 17.

Monthly.

May call for, reports of earnings and expenses. § 20 : p. 27 : l. 11.

Motion.

Of its own, may institute any inquiry. § 13 : p. 18 : l. 21.

New.

Two Commissioners provided for. § 24 : p. 31 : l. 29.

Not.

Commissioners shall, engage in any other business. § 11 : p. 15 : l. 36.

Notice.

Commission to have five days', and Hearing before injunction granted. § 16 : p. 23 : l. 39.

Noticed.

Judicially. Official seal shall be. § 17 : p. 25 : l. 15.

[The references are to sections, pages, and lines]

COMMISSION (Continued).**Notices.**

Forms of. May make and amend. § 17 : p. 25 : l. 7.

Service of. May make rules as to. § 17 : p. 25 : l. 8.

Oaths.

May administer. § 17 : p. 25 : l. 16.

May appoint special agents and examiners with power to administer.
§ 20 : p. 28 : l. 35.**Obey**Failure to, etc. May request Attorney-General to apply for Writ
of Mandamus. § 20 : p. 28 : l. 26.**Offices.**

May hire suitable, etc. § 18 : p. 25 : l. 28.

Official.

Acts and votes to be of record. § 17 : p. 25 : l. 12.

Official Seal.

Shall be judicially noticed. § 17 : p. 25 : l. 15.

Operating.

May prescribe conditions of, through routes. § 15 : p. 19 : l. 44.

Order.

May, testimony taken by deposition. § 12 : p. 17 : l. 3.

Report must contain, of Commission. § 14 : p. 18 : l. 29.

May, carrier to desist from violation of Act. § 15 : p. 19 : l. 20.

May modify, suspend, or set aside its. § 15 : p. 19 : l. 31.

May make any person interested or affected, parties subject to. § 1 :
p. 36 : l. 37.

Service of. § 16 : p. 21 : l. 27.

Enforcement of. May petition Court for. § 16 : p. 22 : l. 21.

Court may set aside, annul, or suspend, of Commission. § 15 :
p. 19 : l. 31. § 16 : p. 23 : l. 7, 18.

May suspend or modify its. § 16 : p. 21 : l. 33.

See "Order."

Orders.

Of Commission shall take effect, —

All except for payment of money. Within such reasonable
time, not less than thirty days, as prescribed by Commission.
§ 15 : p. 19 : l. 28.For payment of money. To be complied with within time limit
in Order. § 16 : p. 20 : l. 32.

Of Commission shall continue in force, —

All except for payment of money. For period of time, not ex-
ceeding two years, prescribed by Commission. § 15 : p. 19 :
l. 29.

[The references are to sections, pages, and lines]

COMMISSION (Continued).**Other.**

Shall not engage in any, business. § 11 : p. 15 : l. 36.

Owner.

Services and instrumentalities furnished by Owner. May fix maximum reasonable charge to be paid by Carrier. § 15 : p. 20 : l. 8.

Paid.

In same manner as United States Judges. § 18 : p. 25 : l. 21.

Papers.Production of, etc., by witnesses. May require. § 12 : p. 16 : l. 19.
See "Papers."**Parties.**

May make any person interested or affected, subject to Order and decree. Elkins Act. § 1 : p. 36 : l. 39.

Party. Political.

Not more than three of same. § 11 : p. 15 : l. 30.

Not more than four of enlarged Commission. § 24 : p. 32 : l. 4.

Either, may request proceedings before Commission to be public.
§ 17 : p. 25 : l. 13.**Payment.**

Of salaries of Commission. § 24 : p. 31 : l. 32.

Pecuniarily.

No person, interested in common carrier, etc., shall enter upon etc., or hold such office. § 11 : p. 15 : l. 34.

Pecuniary.

Interest disqualifies from participating in Hearing. § 17 : p. 25 : l. 4.

Petition.

May, Court to enforce its Orders. § 16 : p. 22 : l. 21.

May, Court to restrain departures from published rates or any discrimination forbidden by law. Elkins Act. § 3 : p. 37 : l. 1, 4, 5, 6.

Above to be brought by United States District Attorneys when directed by Attorney-General at request of Commission. Elkins Act. § 3 : p. 37 : l. 29.

Political. See "Party."**Power.**

To administer oaths. Special agents or examiners appointed by Commission, etc. § 20 : p. 28 : l. 35.

Powers.Of remaining members of Commission not impaired by vacancy.
§ 11 : p. 15 : l. 37.

Enumeration of powers not to exclude others. § 15 : p. 20 : l. 19.

[The references are to sections, pages, and lines]

COMMISSION (Continued).

Practice.

Before Commission to conform to usages of United States Courts.
§ 17 : p. 25 : l. 9.

Prescribe.

May, form of schedules and change same. § 6 : p. 11 : l. 29.
May, conditions of operating through routes. § 15 : p. 19 : l. 44.
May, manner in which carriers, etc., annual reports shall be made.
§ 20 : p. 26 : l. 11.
May, uniform system of accounts, etc. § 20 : p. 26 : l. 37.
May, manner of keeping accounts, etc. § 20 : p. 26 : l. 38.
May, in discretion, forms of accounts, etc., to be kept by carriers,
etc. § 20 : p. 27 : l. 22.
Extent of relief from long and short haul clause. § 4 : p. 9 : l. 26.
Maximum rates, charges, regulation, and practice. § 15 : p. 19 : l. 15.
Value of services rendered by owner, etc. § 15 : p. 20 : l. 12.
Compensation for switch connections. § 1 : p. 8 : l. 14.
Division of joint rates, etc. § 15 : p. 19 : l. 37, 42.

Prescribed.

May order carrier, etc., to conform to, regulation or practice. § 15 :
p. 19 : l. 25.
Not to collect, etc., more than maximum rates prescribed. § 15 :
p. 19 : l. 24, 25. See "Prescribed."

Print.

May, its annual report. § 14 : p. 18 : l. 44.

Proceedings.

Before Commission public on request of either party. § 17 : p. 25 :
l. 13.

Proceedings. Mandamus.

May request Attorney-General to bring, for failure to obey or
violation of Act. § 20 : p. 28 : l. 26. See § 23 : p. 31 : l. 1.

Procedure.

Form of. § 17 : p. 24 : l. 43.
May make general rules of. § 17 : p. 25 : l. 6.
May amend rules of. § 17 : p. 25 : l. 5.

Prosecute.

Any one of Commission may, inquiry in any part of United States
relating to business of common carrier, etc. § 19 : p. 26 : l. 1.

Provisions.

Of Section 6: Commission shall enforce as to joint interchange-
able mileage tickets. § 22 : p. 30 : l. 29.

Public.

Copies of schedules and tariffs of rates, fares, and charges and of
all contracts, etc., etc., filed with Commission shall be preserved
as, records in custody of Secretary. § 16 : p. 24 : l. 4.

[The references are to sections, pages, and lines]

COMMISSION (Continued).

Publications.

Of Commission are evidence of reports and decisions in all State and United States Courts without further proof or authentication.
§ 14 : p. 18 : l. 40.

Publish.

May, its reports and decisions. § 14 : p. 18 : l. 37.

Published.

Departures from, rates, etc., may be restrained on Petition of Commission to Court. Elkins Act. § 3 : p. 37 : l. 1.

Qualifications.

Of members of enlarged Commission same as now provided by law.
§ 24 : p. 31 : l. 31.

Quorum.

A majority of Commission. § 17 : p. 25 : l. 2.

Rates.

May modify provision of law requiring thirty days' notice of change in. § 1 : p. 11 : l. 8.

Maximum, just and reasonable rates. To determine on complaint.
§ 15 : p. 19 : l. 15.

Maximum joint rates on through routes. § 15 : p. 19 : l. 42.

Divisions of joint rates. § 15 : p. 19 : l. 3.

May order carrier, etc., to collect no higher, than that determined and prescribed by Commission. § 15 : p. 19 : l. 24.

Contracts, schedules of rates, etc., public records. § 16 : p. 24 : l. 4.

May call for information as to, etc. § 20 : p. 26 : l. 30.

Departures from published, etc., may be restrained by Court on petition of Commission. Elkins Act. § 3 : p. 37 : l. 1.

Reasonable.

May fix, time for answer. § 13 : p. 18 : l. 6.

Maximum, just and reasonable rates to be determined by Commission on complaint. § 15 : p. 19 : l. 15.

Just, fair, and, regulation or practice to be determined by Commission. § 15 : p. 19 : l. 18, 19.

Just and reasonable maximum charge to be paid by carrier, etc., for services rendered or instrumentalities furnished by owner, etc. § 15 : p. 20 : l. 8.

Reasonable compensation for switch connection. May determine, etc. § 1 : p. 8 : l. 14.

Record.

Every vote and official act to be of. § 17 : p. 25 : l. 12.

Records.

May prescribe form of, memoranda, etc., to be kept by carriers, etc.
§ 20 : p. 27 : l. 22.

[The references are to sections, pages, and lines]

COMMISSION. Records (Continued).

Copies of schedules and tariffs of rates, fares, and charges, contracts, etc., etc., filed with Commission to be preserved in custody of Secretary as public records. § 16 : p. 24 : l. 4.

May prescribe records of movement of traffic, etc. § 20 : p. 27 : l. 25.

Regulation.

Just, fair, and reasonable, or practice to be determined by Commission on complaint. § 15 : p. 19 : l. 18, 19.

May order carrier to conform to prescribed, or practice. § 15 : p. 19 : l. 25.

Rehearing.

May grant. § 16 a : p. 24 : l. 23.

Remaining.

Powers of, Commissioners not impaired by vacancy. § 11 : p. 15 : l. 37.

Removal.

By President for inefficiency, neglect of duty, or malfeasance in office. § 11 : p. 15 : l. 28.

Report.

Duty to make, in writing, of investigations. § 14 : p. 18 : l. 27.

Must contain :—

(a) If damages are not awarded.

Conclusion. § 14 : p. 18 : l. 28.

Decision. § 14 : p. 18 : l. 29.

Requirement. § 14 : p. 18 : l. 29.

(b) If damages are awarded.

In addition, the findings of fact on which the award is made.

§ 14 : p. 18 : l. 30.

Reports.

May publish its, and decisions. § 14 : p. 18 : l. 37.

May print its annual. § 14 : p. 18 : l. 44.

May acquire annual, from carriers, etc. § 20 : 26 : l. 8.

May prescribe manner in which such reports shall be made. § 20 : p. 26 : l. 11.

May call for monthly, of earnings and expenses. § 20 : p. 27 : l. 11.

May call for special reports as to earnings or expenses. § 20 : p. 27 : l. 12.

Annual, of Commission must be made on or before December 1 of each year and transmitted to Congress. § 21 : p. 29 : l. 20.

Annual, of Commission shall contain :—

1. Information and data collected by Commission.

2. Recommendations as to additional legislation.

3. Names and compensation of persons employed by Commission. § 21 : p. 29 : l. 18 to 29.

[The references are to sections, pages, and lines]

COMMISSION (Continued).

Request.

Proceedings before Commission to be public on, of either party.
§ 17 : p. 25 : l. 13.

May, Attorney-General to apply for Writ of Mandamus for failure to obey or violation of Act. § 20 : p. 28 : l. 26.

May, Attorney-General to direct District Attorney to petition Court to restrain departure from published rate or any discrimination forbidden by law. Elkins Act. § 3 : p. 37 : l. 29.

Require.

May, annual reports from carriers. § 20 : p. 26 : l. 8.

May, specific answer from carrier. § 20 : p. 26 : l. 13.

Requirement.

Report on investigation shall contain requirement of Commission.
§ 14 : p. 18 : l. 29.

Restrain.

May petition Court to, departures from published rates or any discrimination forbidden by law. Elkins Act. § 3 : p. 37 : l. 1.

Reverse.

May reverse, etc., its orders. § 15 : p. 19 : l. 31. § 16 a : p. 24 : l. 38.

Routes.

Through. May prescribe conditions of operating. § 15 : p. 19 : l. 44.

May establish through routes when, —

- (a) Necessary to give effect to any provision of Act; and
- (b) When carriers complained of have refused or neglected voluntarily to establish such through routes; and
- (c) No reasonable or satisfactory through route exists. § 15 : p. 19 : l. 42. § 15 : p. 20 : l. 2, 4.

To apply when one of connecting carriers is a water line. § 15 : p. 20 : l. 5.

Rules.

May make and amend general, of procedure. § 17 : p. 25 : l. 5, 6.

May make, as to service of notices. § 17 : p. 25 : l. 8.

Safety.

Of switch connections. Investigation. § 1 : p. 8 : l. 13.

Salary.

Annual, of members of Commission, \$7,500. § 18 : p. 25 : l. 20.

Increased to \$10,000. § 24 : p. 31 : l. 30.

Paid in same manner as United States Judges. § 18 : p. 25 : l. 21.

May fix, of other employees of Commission. § 18 : p. 55 : l. 26.

Salary of Secretary to be \$3,500. § 18 : p. 25 : l. 23.

Same.

Political Party. Not more than three Commissioners from. § 11 : p. 15 : l. 30.

Changed to four. § 24 : p. 32 : l. 3.

COMMISSION (Continued).

Schedules.

May prescribe form of, and change same, etc. § 6 : p. 11 : l. 29. See "Schedules."

Seal.

To have official, which shall be judicially noticed. § 17 : p. 25 : l. 15.

Section 6.

Shall apply provisions of, to joint interchangeable mileage tickets. § 22 : p. 30 : l. 29.

Section 15.

Enumeration of powers in, not exclusive. § 15 : p. 20 : l. 19.

Senate.

Appointment of Commissioners to be confirmed by. § 11 : p. 15 : l. 19. § 24 : p. 31 : l. 35.

Service.

Rendered by owner of property, etc., Commission may determine maximum reasonable charge to be for, by carrier. § 15 : p. 20 : l. 8.

Of Orders. By registry mail. § 16 : p. 21 : l. 27.

Of Notices. Rules as to, to be made by Commission. § 17 : p. 25 : l. 8.

Sessions.

General, of Commission to be at Washington, D. C. § 19 : p. 25 : l. 41.

Special, of Commission may be at any place in United States. § 19 : p. 25 : l. 44.

Set aside.

Court may, order of Commission. § 15 : p. 19 : l. 31. § 16 : p. 23 : l. 7, 18.

Seven.

Terms of Commissioners, six years. § 11 : p. 15 : l. 25.

Changed to seven years. § 24 : p. 31 : l. 29.

Special Agents or Examiners.

May employ, to inspect accounts, etc. § 20 : p. 27 : l. 32.

May employ, to carry out Act. § 20 : p. 28 : l. 35.

Special Counsel.

May employ, with consent of Attorney-General. § 16 : p. 21 : l. 15.

Special Order.

Releasing carrier from obeying order pending application for rehearing. § 16 a : p. 24 : l. 30.

Special Reports.

May require, from carriers, etc., as to earnings and expenditures. § 20 : p. 27 : l. 12.

[The references are to sections, pages, and lines]

COMMISSION (Continued).

Specific.

May require, answer from carriers. § 20 : p. 26 : l. 13.

Stock.

No person holding, etc., in common carrier, etc., shall enter upon or hold office of Commissioner. § 11 : p. 15 : l. 33.

Subpoenas.

May issue. § 17 : p. 25 : l. 16, 17. See "Witnesses."

Successors.

Of present and new Commissioners appointed for seven years. § 24 : p. 31 : l. 43.

Suits.

Against Commission to enjoin, set aside, annul, or suspend its orders, jurisdiction given to Courts. § 16 : p. 23 : l. 7, 17.

Summon.

Witnesses. Power to. § 12 : p. 16 : l. 19. See "Witnesses."

Suspend.

Commission may, modify, or set aside its Orders. § 15 : p. 19 : l. 31. § 16 : p. 21 : l. 33.

Court may, or set aside Orders of Commission. § 15 : p. 19 : l. 32. § 16 : p. 23 : l. 17, 18.

Switch Connections.

Prescribe reasonable compensation for. § 1 : p. 8 : l. 14.

System.

May prescribe uniform, of accounts. § 20 : p. 26 : l. 37.

Penalty for keeping other accounts, etc. § 20 : p. 27 : l. 37. § 20 : p. 28 : l. 9.

Term.

Of office, six years. § 11 : p. 15 : l. 25.

Increased to seven years. § 24 : p. 31 : l. 29.

Expiration of, of two new Commissioners on Dec. 31, 1911, and 1912, respectively. § 24 : p. 31 : l. 38.

Of person appointed to fill vacancy to be only for unexpired term. § 24 : p. 32 : l. 2.

Testimony.

May order, taken by deposition. § 12 : p. 17 : l. 3.

Special agents or examiners appointed by Commission may examine witnesses, receive testimony, etc. § 20 : p. 28 : l. 35.

See "Witnesses."

Through Routes.

Commission may establish, on certain conditions. § 15 : p. 19 : l. 42. See "Routes."

May prescribe conditions of operating. § 15 : p. 19 : l. 44.

[The references are to sections, pages, and lines]

COMMISSION (Continued).**Tickets.**

Joint interchangeable mileage. Provisions of Section 6 shall apply to. § 22 : p. 30 : l. 29.

Time.

May extend, in which carriers shall file annual reports. § 20 : p. 26 : l. 45.

Traffic.

May prescribe forms of accounts, etc., relating to movements of. § 20 : p. 27 : l. 26.

Transmitted. Annual report of Commission to be, to Congress. § 21 : p. 29 : l. 21.

Two.

New Commissioners to be appointed. § 24 : p. 31 : l. 29.

Unexpired Term.

Persons appointed to fill vacancy to be appointed only for unexpired term. § 24 : p. 32 : l. 2.

Uniform.

May prescribe, system of accounts, etc. § 20 : p. 26 : l. 37.

Unlawful.

To keep any other accounts, records, or memoranda than prescribed or approved by Commission. § 20 : p. 27 : l. 29. See "Accounts."

Vacancies.

Appointments to fill. Terms shall expire as now provided by law. Any appointment of, to be for balance of unexpired term. § 24 : p. 31 : l. 42. § 24 : p. 32 : l. 1.

Vacancy.

In Commission not to impair powers of remaining Commissioners. § 11 : p. 15 : l. 37.

Violation.

Commission may order carrier to desist from, of Act. § 15 : p. 19 : l. 20.

May request Attorney-General to apply for Writ of Mandamus for any violation of Act. § 20 : p. 28 : l. 26.

Vote.

Of Commission to be of record. § 17 : p. 25 : l. 12.

Vouchers.

Chairman to approve. § 18 : p. 25 : l. 39.

Expenses of Commission to be allowed and paid on itemized vouchers. § 18 : p. 25 : l. 38, 39.

Washington.

General sessions to be at. § 19 : p. 25 : l. 41.

[The references are to sections, pages, and lines]

COMMISSION (Continued).**Witnesses.**

Power to summon, etc. § 12 : p. 16 : l. 19.

Power in special agents or examiners appointed by Commission to examine, etc. § 20 : p. 28 : l. 35.

See "Witnesses."

Writing.

- Must make Report in, of investigations. § 14 : p. 18 : l. 27.

COMMISSIONER OF CIRCUIT COURT.

Depositions may be taken before. § 12 : p. 17 : l. 7.

COMMODITY.

Act applies to any corporation or person engaged in transportation of oil or other commodity except water and natural and artificial gas, etc., etc. § 1 : p. 5 : l. 6.

Unlawful for railroads to transport, etc., commodity owned, etc., after May 1, 1908. § 1 : p. 7 : l. 33, 37.

COMMON ARRANGEMENT.

When, for continuous carriage or shipment partly by railroad and partly by water, Act applies. § 1 : p. 5 : l. 14.

COMMON CARRIER.

See "Carrier."

COMMON CONTROL OR MANAGEMENT.

Act applies to carrier transporting persons or property partly by railroad and partly by water when both are under common control, etc. § 1 : p. 5 : l. 14.

COMMON LAW.

Existing remedies under, not abridged nor altered by Act. § 22 : p. 30 : l. 9.

Provisions of Act are in addition to common law remedies. § 22 : p. 30 : l. 10.

COMMUTATION.

Commutation passenger tickets authorized. § 22 : p. 29 : l. 38.

COMPANIES.

Express, included in term "common carrier." § 1 : p. 6 : l. 2.

COMPANY.

References to word.

§ 3 : p. 8 : l. 38, 40.

§ 10 : p. 15 : l. 1, 9.

§ 9 : p. 13 : l. 10, 13, 24.

Elkins Act. § 1 : p. 36 : l. 1, 21.

§ 10 : p. 14 : l. 19, 38.

Accepting rebates shall forfeit, in addition to penalty provided by Act three times value of money or consideration received. Elkins Act. § 1 : p. 36 : l. 1, 21.

[The references are to sections, pages, and lines]

COMPENSATION.

No greater nor less to be demanded, collected, or received from one than from all. § 2 : p. 8 : l. 25.

No greater, less, or different to be demanded, collected, or received than that named in tariffs filed and in effect. § 6 : p. 11 : l. 40.

Unlawful to demand, collect, or receive a greater or less, for transportation of persons or baggage under joint interchangeable mileage tickets. § 22 : p. 30 : l. 35.

No greater, for short than for long haul, etc. § 4 : p. 9 : l. 12.

As great compensation for shorter as for longer haul not authorized by Act. § 4 : p. 9 : l. 19.

Reasonable compensation for switch connections. § 1 : p. 6 : l. 14.

Maximum reasonable compensation for services rendered and instrumentalities furnished by owner, etc. § 15 : p. 20 : l. 12.

And names of persons employed by Commission to be transmitted to Congress. § 21 : p. 29 : l. 28.

Proper. Though undetermined, Writ of Mandamus may issue. § 23 : p. 31 : l. 16.

Of Commissioners. Each \$7,500 annually. § 18 : p. 25 : l. 20.

Increased to \$10,000. § 24 : p. 31 : l. 30.

See "Service;" "Value."

COMPETING.

No pooling of freights by competing railroads. § 5 : p. 9 : l. 33.

COMPLAINANT.

Who may be, —

Any person.

Any firm.

Any corporation.

Any association.

Any mercantile society.

Any agricultural society.

Any manufacturing society.

Any body politic.

Any municipal organization. § 13 : p. 17 : l. 40.

Any railroad commissioner of a State. Any railroad commission of a State. § 13 : p. 18 : l. 19.

When United States is, in Equity case, hearing may be expedited.

Act Feb. 11, 1903. § 1 : p. 39 : l. 9.

Reference to. § 16 : p. 20 : l. 28, 83.

Party complainant. Reference to. § 16 : p. 20 : l. 25.

COMPLAINT.

For damages. Must be filed with Commission within two years from time cause of action accrues and not after. § 16 : p. 21 : l. 5.

See "Limitation of Actions."

Duty of Commission to investigate if not satisfied by carrier within reasonable time. § 13 : p. 18 : l. 14.

[The references are to sections, pages, and lines]

COMPLAINT (Continued).

Even if no, Commission may of own motion institute inquiry. § 13 : p. 18 : l. 21.

After hearing on, Commission shall make Order. § 16 : p. 20 : l. 23.

No, shall be dismissed because of absence of direct damage to complainant. § 13 : p. 18 : l. 24.

By shipper for failure of carrier to install and operate switch connections, etc. § 1 : p. 8 : l. 10.

May be filed with Commission or, in the alternative, suit may be brought in District or Circuit Court by any person claiming to be damaged by any common carrier subject to provisions of Act. § 9 : p. 12 : l. 43.

COMPLY.

Remedy where carrier does not comply with order for payment of money. § 15 : p. 20 : l. 31.

Duty of carrier to, with orders of Commission, etc. § 16 : p. 21 : l. 38.

Mandamus for failure to, with Act. § 20 : p. 28 : l. 30. See § 23 : p. 31 : l. 1.

CONCESSION.

Below published rate. Forbidden. § 1 : p. 34 : l. 39.

Penalty, applicable to both carrier and shipper, for knowingly offering, soliciting, receiving, giving, etc. Fine, \$1,000 to \$20,000. If offender is officer, director, etc., of corporation subject to Act. Fine, imprisonment, or both. Elkins Act. § 1 : p. 35 : l. 7, 11, 19.

CONCLUSIONS.

Of Commission. To be stated in report together with decision, order, or requirement. § 14 : p. 18 : l. 28.

(Findings of fact must be given only when damages are awarded. § 14 : p. 18 : l. 31.)

CONCLUSIVELY.

Published rate is, deemed legal rate. Elkins Act. § 1 : p. 35 : l. 42.

CONCURRENCE.

Evidence of, in joint rate to be filed with Commission. § 6 : p. 11 : l. 18, 21.

If concurrence filed, not necessary for carrier filing, to file copies of the tariffs. § 6 : p. 11 : l. 21.

CONDITIONS.

Substantially similar. § 2 : p. 8 : l. 31. § 4 : p. 9 : l. 14. See "Circumstances."

Special or peculiar. § 6 : p. 11 : l. 13. See "Circumstances."

Of operating through routes. Commission may prescribe. § 15 : p. 19 : l. 44.

[The references are to sections, pages, and lines]

CONDUCT.

Articles for use, etc., in, of business of carrier may be transported after May 1, 1908, although owned by it, etc. § 1 : p. 7 : l. 39.

CONFIRMED.

Appointment of Commissioners to be, by Senate. § 24 : p. 31 : l. 35.

CONFLICT.

All laws in, with Act June 29, 1906, repealed. § 10 : p. 32 : l. 11.

All Acts and parts of Acts in conflict with Elkins Act repealed. Elkins Act. § 4 : p. 38 : 19.

CONFORM.

Carriers to, to regulation or practice prescribed by Commission. § 15 : p. 19 : l. 24.

CONGRESS.

Annual report of Commission to be transmitted to. § 21 : p. 29 : l. 21.

CONNECT.

Reference to. § 1 : p. 8 : l. 1.

CONNECTING CARRIER.

Even where one is a water line, Commission may establish through routes and joint rates where carriers have refused or neglected and no reasonable or satisfactory through routes exist. § 15 : p. 20 : l. 5, 6.

CONNECTING LINES.

Discrimination between, forbidden. § 3 : p. 9 : l. 5.

Carriers to afford reasonable, proper, and equal facilities to connecting lines. § 3 : p. 9 : l. 1.

CONNECTION.

Switch. Duty of common carriers subject to Act to construct, maintain, and operate, where reasonably practicable, etc., etc. § 1 : p. 7 : l. 44. § 1 : p. 8 : l. 2.

If carrier shall fail to install and operate, etc., Commission may investigate and order carrier to comply, etc. § 1 : p. 8 : l. 7 to 20.

Commission may prescribe reasonable compensation for switch connections. § 1 : p. 8 : l. 14.

Bridges and ferries used in connection with railroad to be included in term "railroad." § 1 : p. 6 : l. 4. See also § 1 : p. 6 : l. 16, 26.

CONSENT OR CONNIVANCE.

False billing, etc., by shipper with or without, of carrier. Penalty : fine, imprisonment, or both. § 10 : p. 24 : l. 26.

CONSIDERATION.

Three times value of, given as a rebate, etc., to be forfeited by one receiving it. § 1 : p. 36 : l. 11, 17, 32.

[The references are to sections, pages, and lines]

CONSIDERED.

Certain persons, etc., to be, common carriers, etc. § 1 : p. 5 : l. 9.

CONSIGNEE.

References to. § 6 : p. 10 : l. 17, 18. § 10 : p. 14 : l. 21.

CONSIGNOR.

Reference to. § 10 : p. 14 : l. 21.

CONSIGNOR OR CONSIGNEE.

Reference to. § 10 : p. 14 : l. 42. Elkins Act. § 1 : p. 36 : l. 4.

Any, discriminated against may bring action on case against carrier.
§ 10 : p. 15 : l. 11.

CONSTRUCT.

Duty of carrier to, switch connections, etc. § 1 : p. 7 : l. 43.

CONSTRUCTION.

Rule of. See "Act."

Reference to. § 1 : p. 8 : l. 4.

CONSTRUED.

See "Act, Rule of Construction of," etc.

CONTAIN.

What annual report of Commission shall. § 14 : p. 18 : l. 29, 31.
§ 21 : p. 29 : l. 23.

CONTEMPT.

Of court. Failure to obey Order of Court as to attending and testifying, punishable as such. § 12 : p. 16 : l. 39.

CONTENTS.

False representation of contents of package. Obtaining thereby transportation at less than the regular rates established and in force. Fraud, misdemeanor. Penalty: fine, imprisonment, or both. § 10 : p. 14 : l. 24.

CONTINUE.

Orders of Commission to, in force for time prescribed by Commission, not to exceed two years. § 15 : p. 19 : l. 28.

CONTINUING VIOLATION. Of Order, a separate offense for each day.
§ 16 : p. 22 : l. 2.

CONTINUOUS CARRIAGE.

Where carriers have made arrangement for, Act applies to carriers partly by water and partly by rail. § 1 : p. 5 : l. 15.

Change of time schedule, etc., shall not prevent carriage of freights from being treated as one. § 7 : p. 12 : l. 19, 23, 27.

CONTRACT.

The term "railroad" to include all the road in use by any corporation operating a railroad, whether owning it or operating it under a contract, etc. § 1 : p. 6 : l. 7.

[The references are to sections, pages, and lines]

CONTRACT (Continued).

The term "transportation" shall include cars, etc., irrespective of ownership or of any contract, express or implied, for use thereof. § 1 : p. 6 : l. 15.

Pooling contracts unlawful. § 5 : p. 9 : l. 31.

To prevent transportation of freight being continuous, unlawful. § 7 : p. 12 : l. 16.

Copies of all contracts with other common carriers in relation to any traffic affected by Act shall be filed with the Commission. § 6 : p. 11 : l. 25.

Commission shall have power to require production by subpoena of all contracts, etc., relating to any matter under investigation. § 12 : p. 16 : l. 19.

All contracts filed with the Commission shall be preserved as public records in custody of Secretary. Certified copies or extracts from, shall be received in evidence with like effect as the originals. § 16 : p. 24 : l. 4.

Annual report to Commission of common carriers subject to Act shall contain such information in relation to contracts relating to rates, etc. § 20 : p. 26 : l. 32.

No, shall exempt common carrier from liability for damage, etc., to through shipments caused by it or by connecting carrier. § 20 : p. 29 : l. 4.

Witness not excused from producing, etc., in proceeding before Commission or in any cause growing out of alleged violation of the Act, contracts, etc., under subpoena on ground of self-crimination. Act Feb. 11, 1893. § 1 : p. 33 : l. 34.

Penalty for refusal to produce, fine, imprisonment, or both. Act Feb. 11, 1893. § 1 : p. 33 : l. 17.

CONTROL.

See "Common Control."

CONTUMACY.

In case of, of witness Court may order appearance and testimony before Commission. § 12 : p. 16 : l. 32.

CONVICTION.

See "Penalties."

For violation of Act. Fine not to exceed \$5,000. § 10 : p. 13 : l. 35.

For violation of anti-pass provisions. § 1 : p. 7 : l. 18.

For unlawful discrimination in rates for passengers or property.

Fine not to exceed \$5,000, and, in addition, imprisonment for not exceeding two years, or both. § 10 : p. 13 : l. 40.

False billing, etc., by common carriers subject to Act. Fine not to exceed \$5,000, imprisonment not to exceed two years, or both. § 10 : p. 14 : l. 11.

False billing, etc., by shippers. Fine not to exceed \$5,000, imprisonment not to exceed two years, or both. § 10 : p. 14 : l. 31.

[The references are to sections, pages, and lines]

CONVICTION (Continued).

For inducing or aiding or abetting common carrier subject to Act to discriminate unjustly, etc. Fine not to exceed \$5,000, imprisonment not to exceed two years, or both. § 10 : p. 15 : l. 3.

Giving or receiving rebate, discrimination, etc., by Corporation, \$1,000 to \$20,000 fine. Elkins Act. § 1 : p. 35 : l. 11.

By person or officer, etc., of Corporation. Fine as above, imprisonment not to exceed two years, or both. Elkins Act. § 1 : p. 35 : l. 12.

Forfeiture of three times amount of rebate or value of consideration received. Elkins Act. § 1 : p. 36 : l. 1.

Of special examiner for divulging facts, etc. Fine not more than \$5,000, imprisonment not exceeding two years, or both. § 20 : p. 28 : l. 22.

Refusal to testify and produce books, etc., under subpoena of Commission. Fine, \$100 to \$5,000, imprisonment not more than one year, or both. Act Feb. 11, 1893. p. 33 : l. 20.

Misdemeanor of officers, etc., of corporation is a misdemeanor of the corporation, and on conviction, subject to like penalties except as herein changed. Elkins Act. § 1 : p. 34 : l. 26.

Failure to file annual reports within time prescribed by Commission, \$100 for each day's default. § 20 : p. 27 : l. 1, 8.

Failure to make specific answer to questions authorized by this section, \$100 for each day's default. § 20 : p. 27 : l. 5.

COPIES.

Certified, or extracts from schedules, tariffs, contracts, etc., to be received in evidence with like effect as the originals. § 16 : p. 24 : l. 13.

Of annual reports of Commission. How distributed. § 21 : p. 29 : l. 22.

CORPORATION.

Subject to Act. § 1 : p. 5 : l. 4.

Undue or unreasonable preference or advantage to. Unlawful. § 3 : p. 8 : l. 38, 41.

Books and papers of, in suit for damages may be ordered produced by Court. Self-crimination no excuse. § 9 : p. 13 : l. 12.

No immunity to corporation. Act June 30, 1906. § 1 : p. 33 : l. 26.

Officer, etc., of, violating Act wilfully.

Wilfully do or cause to be done

Willingly suffer or permit to be done,

Aid or abet therein

Wilfully omit or fail to do anything in Act required to be done

Cause or willingly suffer or permit any Act, etc., not to be done which Act requires to be done

[The references are to sections, pages, and lines]

CORPORATION (Continued).

Aid or abet any such omission or failure

Guilty of any infraction of Act

Aid or abet therein

Guilty of misdemeanor

Penalty, fine not to exceed \$5,000.

If offense is unlawful discrimination, fine as above, imprisonment not to exceed two years, or both. § 10 : p. 13 : l. 21, 23, 24.

Officer, agent, etc., of corporation common carrier, etc. False billing. Penalty. See "Conviction." § 10 : p. 14 : l. 2, 4.

Officer, etc., of. Securing lower than regular rates by false billing, etc.. Fine, imprisonment, or both. See "Conviction." § 10 : p. 14 : l. 18.

Officer of, etc. Inducing common carrier, etc., to discriminate unjustly. Penalty: fine, imprisonment, or both. See "Conviction." § 10 : p. 14 : l. 38. § 10 : p. 15 : l. 1.

May file complaints with Commission. § 13 : p. 17 : l. 40.

Failure to file annual reports within time specified or extended by Commission. Penalty: \$100 for each day's default. § 20 : p. 27 : l. 1, 8.

Failure to make specific answer to any question authorized by Section 20, within thirty days, etc. Penalty: \$100 for each day's default. § 20 : p. 27 : l. 5.

By relation may sue out Writ of Mandamus to have interstate traffic moved on same terms and conditions to all. § 23 : p. 31 : l. 4.

Misdemeanor of, officer, etc., is misdemeanor of corporation and subject to like penalties save as changed herein. Elkins Act. § 1 : p. 34 : l. 19, 26.

Unlawful for any, to knowingly give or receive, etc., any rebate, concession, discrimination, etc. Misdemeanor. Penalty: fine \$1,000 to \$20,000. Elkins Act. § 1 : p. 34 : l. 37.

Penalty if done by person or officer, director, etc., of a corporation. Fine \$1,000 to \$20,000, imprisonment not exceeding two years, or both. Elkins Act. § 1 : p. 35 : l. 12.

Accepting rebate or offset knowingly, from regular charges in schedules. Forfeiture three times amount of money or value of consideration received. Elkins Act. § 1 : p. 36 : l. 1, 21.

Self-crimination no excuse for not producing books and papers. Elkins Act. § 3 : p. 38 : l. 2.

No person to be prosecuted or subject to penalty or forfeiture for testimony, etc. Elkins Act. § 3 : p. 38 : l. 3.

See "Witnesses;" "Immunity."

CORRECT.

Penalty for wilful failure to make correct entries, etc. § 20 : p. 28 : l. 7.

[The references are to sections, pages, and lines]

COST.

Of property to be stated in annual report of carrier. § 20 : p. 26 : l. 19.

COST AND VALUE.

To be stated in annual report.

Property. § 20 : p. 26 : l. 19.

Franchises. § 20 : p. 26 : l. 20.

Equipments. § 20 : p. 26 : l. 20.

COSTS.

Attorney's fee to be taxed in, in suits for damages under Act. § 8 : p. 12 : l. 39.

Of prosecution for violation of Act to be paid out of appropriation for expenses of the Courts of the United States. § 13 : p. 16 : l. 13.

Petitioner not liable for, in suit in Circuit Court for money damages, nor in any other stage unless accruing upon his appeal. § 16 : p. 20 : l. 33.

Attorney's fee to be taxed in, in suits for damages. § 16 : p. 21 : l. 2.

COUNSEL.

Reasonable, fee to be taxed in costs in suits for damages. § 8 : p. 12 : l. 39.

Depositions cannot be taken before any persons, otherwise authorized, who are of, to either of parties. § 12 : p. 17 : l. 12.

Special. May be employed by Commission with consent of Attorney-General. § 16 : p. 22 : l. 14.

Expenses of. To be paid out of appropriation for Commission. § 16 : p. 22 : l. 16.

COUNTRY.

Foreign. Reference to. § 1 : p. 5 : l. 22, 23, 30.

COURT.**Act.**

Violation of or failure to comply with. Writ of Mandamus. § 20 : p. 28 : l. 26.

Act Feb. 11, 1903, Expediting Act, allowing appeals only to United States Supreme Court not to affect pending appeals in Circuit Court of Appeals. § 2 : p. 39 : l. 26.

Act. Expediting. Clerk to give copy of certificate of Attorney-General under, to each of Circuit Judges. Act Feb. 11, 1903, § 1 : p. 39 : l. 5.

Aid.

Commission may invoke aid of Court as to witnesses, production of books, etc. § 12 : p. 16 : l. 26.

Annul.

May, etc., Orders of Commission. § 15 : p. 19 : l. 31, 32. § 16 : p. 23 : l. 7, 17.

[The references are to sections, pages, and lines]

COURT (Continued).**Appeal.**

To Supreme Court only from Circuit Court on petitions. § 16 : p. 23 : l. 3.

Not to vacate or suspend order appealed from. § 16 : p. 23 : l. 3.

To Supreme Court in petitions to enforce Order of Commission to have priority over all save criminal proceedings. § 16 : p. 23 : l. 2.

Appeals.

Same priority in appeals from Circuit Court to Supreme Court in suits brought against Commission to enjoin, set aside, etc., Order of Commission. § 16 : p. 23 : l. 36.

Pending, in Circuit Court of Appeals not affected by Expediting Act of Feb. 11, 1903, allowing appeals only to Supreme Court. § 2 : p. 39 : l. 26.

From interlocutory Order or Decree granting or continuing injunction must be taken within thirty days from entry of such Order. § 16 : p. 23 : l. 44.

Appropriation.

For Courts. Costs and expenses of prosecutions for forfeitures for failure to obey Order of Commission to be paid out of. § 16 : p. 22 : l. 12.

Costs of prosecutions for violation of Act to be paid out of appropriation for United States Courts. § 12 : p. 16 : l. 13.

Attorney.

Reasonable fee to be fixed by Court to be taxed in costs in suits for damages. § 8 : p. 12 : l. 39.

Books.

Commission may invoke aid of Court to secure production of, etc. § 12 : p. 16 : l. 26.

Carrier.

May be ordered by District or Circuit Courts by Writ of Mandamus to move traffic on equal terms and furnish cars, facilities, etc. § 23 : p. 31 : l. 1.

Cars.

Court may by Writ of Mandamus order carrier to furnish cars, facilities, etc. § 23 : p. 31 : l. 1.

Certificate.

Of Attorney-General under Expediting Act of Feb. 11, 1903. Copy to be furnished by Clerk to each Judge of Circuit Court. Act Feb. 11, 1903. § 1 : p. 39 : l. 5.

Chancellor.

Of Court. Depositions may be taken before. § 12 : p. 17 : l. 9.

[The references are to sections, pages, and lines]

COURT (Continued).**Circuit.**

May issue Orders to witnesses in contempt to testify, etc., before Commission. § 12 : p. 16 : l. 30.

Jurisdiction by Petition for failure to obey Orders of Commission. § 16 : p. 20 : l. 34.

Clerk of, to give copy to each Circuit Judge of certificate of Attorney-General under Expediting Act. Act Feb. 11, 1903. p. 39 : l. 5.

Circuit and District.

May issue Writ of Mandamus to order carrier to move traffic, furnish cars and facilities on equal terms, etc. § 23 : p. 31 : l. 1.

Writs of Mandamus for violation of or failure to comply with Act. § 20 : p. 28 : l. 26.

Three Judges of Circuit to sit in Hearings under Expediting Act of Feb. 11, 1903. Act Feb. 11, 1903. § 1 : p. 38 : l. 17.

Circuit or District.

Clerk of, may take depositions. § 12 : p. 17 : l. 8.

Circuit Court of Appeals.

Pending appeals are not affected by that part of Act of Feb. 11, 1903, allowing appeals from Circuit Court only to Supreme Court. § 2 : p. 39 : l. 26.

Commission.

May invoke aid of Court to force witnesses to testify, produce books, etc. § 12 : p. 16 : l. 26.

Court may enjoin, annul, set aside, etc., Orders of Commission. § 16 : p. 23 : l. 6, 17. See § 15 : p. 19 : l. 31.

Copy.

Clerk of Circuit Court to give each Circuit Judge copy of certificate of Attorney-General under Expediting Act. § 1 : p. 39 : l. 5.

Costs.

Of prosecutions for failure to obey Orders of Commission paid out of appropriation for Courts. § 12 : p. 16 : l. 13.

Costs of suits for forfeitures under Act to be paid out of Court appropriation. § 16 : p. 22 : l. 12.

Counsel.

Reasonable, fee to be fixed by Court to be taxed in costs in suits for damages. § 8 : p. 12 : l. 39.

Criminal Causes.

Appeals to Supreme Court in suits to enforce Orders of Commission or suits to enjoin, etc., Orders of Commission to have priority except over. § 16 : p. 23 : l. 2, 36.

[The references are to sections, pages, and lines]

COURT (Continued).

Cumulative.

Remedy by Writ of Mandamus under Section 23. § 23 : p. 31 : l. 24.

Decree.

No decree suspending, etc., Order of Commission to issue save after Hearing and five days' notice. § 16 : p. 23 : l. 36, 37.

Depositions.

May be taken before any Judge of U. S. Court, of a State Superior or Supreme Court, County Court or Court of Common Pleas. § 12 : p. 17 : l. 6, 9, 10, 11.

Directed.

Special examiner may divulge facts only when directed by a Court, or Judge thereof, or by Commission. § 20 : p. 28 : l. 20.

Discretion.

As to imposing fine, or imprisonment, or both :

Unlawful discrimination by carrier. § 10 : p. 13 : l. 45.

Shipper obtaining unjust discrimination by payment of money, etc. § 10 : p. 15 : l. 8.

False billing, etc., by carriers. § 10 : p. 14 : l. 11.

False billing, etc., by shippers. § 10 : p. 14 : l. 31.

Giving or receiving rebate. Elkins Act. § 1 : p. 35 : l. 12.

Special examiner divulging facts, etc. § 20 : p. 28 : l. 22.

Refusal to testify, produce books, etc., under subpoena of Commission. Act Feb. 11, 1903. p. 33 : l. 20.

Discrimination.

Mandamus. § 20 : p. 28 : l. 36. § 23 : p. 31 : l. 1.

Injunction. Elkins Act. § 3 : p. 37 : l. 5, 22.

United States District. Jurisdiction over violations of Act defined as Misdemeanors. § 10 : p. 13 : l. 36.

District and Circuit Court.

Mandamus for violation of or failure to obey Act. § 20 : p. 28 : l. 26. See § 23 : p. 31 : l. 1.

Divulge.

Examiner forbidden to, facts unless directed by Court or Commission. § 20 : p. 28 : l. 20.

Enforce.

Mandatory injunction to, Orders. § 16 : p. 22 : l. 37.

Courts must, Orders of Commission if regularly made and served. § 16 : p. 22 : l. 34. See *infra*, "Enjoin."

Enjoin.

Circuit Courts can enjoin, set aside, etc., Orders of Commission. § 16 : p. 23 : l. 6, 17. See § 15 : p. 19 : l. 31.

[The references are to sections, pages, and lines]

COURT (Continued).

Examiner.

To divulge facts only when directed by Court or Commission.
§ 20 : p. 28 : l. 20.

Expediting Act.

Hearings under, before three Circuit or two Circuit and one District Judge. Act Feb. 11, 1903. § 1 : p. 39 : l. 10. See "Expediting Act," etc.

Expense.

Court appropriation to pay, of prosecutions for forfeitures, etc.
§ 16 : p. 22 : l. 12.

Facilities.

Court to issue Writ of Mandamus to force carriers to furnish facilities, etc. § 23 : p. 31 : l. 1.

Failure to comply with Act, etc.

Mandamus. § 20 : p. 28 : l. 26.

Favorable.

Mandamus to compel moving traffic on equally favorable terms, etc. § 23 : p. 31 : l. 1.

Fees.

Attorneys. Fixed by Court and taxed in costs in damage suits.
§ 8 : p. 12 : l. 39.

Forms.

Used by Court. Commission to adopt as nearly as possible. § 17 : p. 25 : l. 9.

Hearings.

Under Expediting Act before three Circuit Judges, etc. § 1 : p. 39 : l. 10. See "Expediting Act," etc.

Injunction.

Mandatory, to enforce Orders. § 16 : p. 22 : l. 37.

To annul, enjoin, set aside, etc., Orders. § 16 : p. 23 : l. 6, 17.

To prevent departures from published rates. Elkins Act. § 3 : p. 37 : l. 21.

No, suspending, etc., Order of Commission save on Hearing and five days' notice. § 16 : p. 23 : l. 36.

Injunctions.

To prevent any discriminations forbidden by law. Elkins Act. § 3 : p. 37 : l. 5.

Interlocutory Order.

None to issue suspending, etc., Order of Commission save after Hearing and five days' notice. § 16 : p. 23 : l. 36, 37.

COURT (Continued).**Judge.**

What Judges may take depositions. § 12 : p. 17 : l. 6, 9, 10, 11.

Of competent jurisdiction may enjoin, set aside, etc. Orders of Commission. § 15 : p. 19 : l. 32. § 16 : p. 23 : l. 6.

Jurisdiction.

Circuit Court. Orders for payment of money. § 16 : p. 20 : l. 34.

Same. Other Orders. § 16 : p. 22 : l. 19, 21, 28, 33, 36, 41.

Writs of Mandamus. § 20 : p. 28 : l. 26. § 23 : p. 31 : l. 21.
§ 16 : p. 22 : l. 37.

Limitation.

Petitions to enforce Orders for payments of money must be filed in Circuit Court within one year from date of Order and not after.
See "Limitation of Actions." § 16 : p. 21 : l. 6.

Suits to enjoin, etc., order of Commission may be brought at any time after Order promulgated. § 16 : p. 23 : l. 11.

Suits by Attorney-General to recover forfeiture for rebates to include rebates received within six years, etc. Elkins Act. § 1 : p. 36 : l. 29.

Made.

If Orders of Commission are regularly, and duly served Courts must enforce. § 16 : p. 22 : l. 34. See § 15 : p. 19 : l. 31. § 16 : p. 23 : l. 6, 17.

Mandamus.

§ 16 : p. 22 : l. 37. § 20 : p. 28 : l. 26. § 23 : p. 31 : l. 21.

Mandatory Injunction.

§ 16 : p. 22 : l. 37. § 23 : p. 31 : l. 21.

Money.

Circuit Court. Jurisdiction as to Orders for payment of. § 16 : p. 20 : l. 34.

Move.

Mandamus to force carrier to, on equal terms, etc. § 23 : p. 31 : l. 1.

Order.

Of Commission may be enjoined, set aside, etc., by Court. § 15 : p. 19 : l. 32. § 16 : p. 23 : l. 6, 17.

For payment of money, jurisdiction of Court. § 16 : p. 20 : l. 34.

Court jurisdiction. Orders other than for payment of money. § 16 : p. 22 : l. 19, 21, 28, 33, 36, 41.

Mandatory process to enforce Order. § 16 : p. 22 : l. 37.

If order regularly made and duly served Court must enforce. § 16 : p. 22 : l. 34. See § 15 : p. 19 : l. 32. § 16 : p. 23 : l. 6, 17.

Order of Circuit Court not to be vacated or suspended by appeal to Supreme Court. § 16 : p. 23 : l. 3.

On Payment. Orders for, of money, Court Jurisdiction. § 16 : p. 20 : l. 34.

[The references are to sections, pages, and lines]

COURT (Continued).

Payment.

Orders for payment of money into Court in Mandamus proceedings.
§ 23 : p. 31 : l. 21.

Pending.

Appeals in Circuit Court of Appeals not affected by Expediting Act allowing appeals only to Supreme Court. Act Feb. 11, 1903.
§ 2 : p. 39 : l. 26.

Petition.

To Court by Commission to restrain violation of Act, etc. Elkins Act. § 3 : p. 37 : l. 1.

Powers.

Of Circuit Court as to process in Petitions to enforce obedience of Order. § 16 : p. 22 : l. 41.

To summon witnesses in suits to recover three times value of consideration or money received as Rebate. § 1 : p. 36 : l. 18.

Priority.

Appeals to Supreme Court in suits to enforce or annul Orders of Commission to have, over all save criminal causes. § 16 : p. 23 : l. 2, 36.

In Equity suits in which United States is party, under Act, in which Attorney-General has filed certificate of general public importance, given priority over all cases. Act Feb. 11, 1903. § 1 : p. 39 : l. 8.

Process.

Powers of Court as to. § 16 : p. 22 : l. 41.

Production.

Court may aid Commission as to, of books, etc. § 12 : p. 16 : l. 26.
See "Witnesses."

Prosecution.

Costs of. § 12 : p. 16 : l. 9. § 16 : p. 22 : l. 12.

Rebate.

Three times value of, etc., received to be recovered and determined by Court. Elkins Act. § 1 : p. 36 : l. 18.

Regularly.

Order of Commission made and duly served must be enforced by Courts. § 16 : p. 22 : l. 34. See § 15 : p. 19 : l. 32. § 16 : p. 23 : l. 6, 17.

Restraining.

No injunction, etc., Orders of Commission save after Hearing and five days' notice. § 16 : p. 23 : l. 37.

Served.

Order of Commission regularly made and served must be enforced by Courts. § 16 : p. 22 : l. 34. See *supra*, "Regularly."

COURT (Continued).**Set aside.**

Orders of Commission may be, etc., by Court. § 15 : p. 19 : l. 32.
§ 16 : p. 23 : l. 6, 17.

Summon.

Witnesses by Court under suits to recover three times rebate received. Elkins Act. § 3 : p. 37 : l. 39. See "Witnesses."

Supreme, of United States.

Appeals to, not to vacate or suspend Order appealed from. § 16 : p. 23 : l. 3.

Appeals to, to have priority except over criminal causes. § 16 : p. 23 : l. 2, 36.

Appeals from Circuit Court in cases under Act in which the United States is complainant only to United States Supreme Court. Act Feb. 11, 1903. § 2 : p. 39 : l. 23.

Suspend.

Orders of Commission, Court may. § 15 : p. 19 : l. 32. § 16 : p. 23 : l. 6, 17.

Appeal to Supreme Court not to, Order of Circuit Court appealed from. § 16 : p. 23 : l. 3.

Suspending.

No injunction, etc., Order of Commission to issue save after Hearing and five days' notice. § 16 : p. 23 : l. 36, 37.

Terms.

Mandamus to move traffic on equal. § 23 : p. 31 : l. 1.

Traffic.

Mandamus to move, on equal terms, etc. § 23 : p. 31 : l. 1.

Vacate.

Appeal to Supreme Court not to, Order of Circuit Court appealed from. § 16 : p. 23 : l. 3.

Value.

Three times, of rebate, etc., to be found by Court in suit to recover. Elkins Act. § 1 : p. 36 : l. 18.

Violation of Act.

Mandamus. § 20 : p. 28 : l. 26. See § 23 : p. 31 : l. 1.

Witnesses.

Court may aid Commission to compel, to testify, etc. § 12 : p. 16 : l. 26.

Circuit Court may order, to testify, etc. § 12 : p. 16 : l. 30.

Court may summon, in suits to recover three times value, etc., of rebate received. § 1 : p. 37 : l. 18. See "Witnesses."

Writ of Mandamus.

For violation, etc., of Act. § 20 : p. 28 : l. 26.

To move traffic on equal terms, etc. § 23 : p. 31 : l. 1.

To furnish cars and facilities. § 23 : p. 31 : l. 1.

[The references are to sections, pages, and lines]

CRIMINAL CASES.

Appeals from decision of Circuit Court in Petitions to enforce Order to U. S. Supreme Court given priority over all save. § 16 : p. 23 : l. 2.

Similar priority on appeals where suits brought to enjoin, annul, etc., action of Commission. § 16 : p. 23 : l. 36.

CRIMINAL PROCEEDINGS.

Self-incriminating testimony and evidence shall not be used against witness in criminal proceedings. § 9 : p. 13 : l. 15. § 12 : p. 16 : l. 43.

Witness shall not be prosecuted or subjected to any penalty or forfeiture on account of testimony, evidence, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 7. Elkins Act. § 3 : p. 37 : l. 45. § 3 : p. 38 : l. 1, 3.

Perjury excepted. Act Feb. 11, 1893. § 1 : p. 33 : l. 14.

Immunity further restricted. Act June 30, 1906. § 1 : p. 34 : l. 11.

CRIMINATION, SELF.

No excuse for not testifying, producing books, etc. § 9 : p. 13 : l. 14. § 12 : p. 16 : l. 40. Act of Feb. 11, 1893. § 1 : p. 33 : l. 6. Elkins Act. § 3 : p. 37 : l. 45.

Such evidence or testimony not to be used against such person on trial of any criminal proceeding. § 9 : p. 13 : l. 17, 18. § 12 : p. 16 : l. 43.

Immunity granted against penalty, forfeiture, prosecution, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 7. Elkins Act. § 3 : p. 38 : l. 2.

Perjury excepted. Act Feb. 11, 1893. § 1 : p. 33 : l. 14.

Immunity to extend only to natural person, under subpoena, etc. Act June 30, 1906. § 1 : p. 34 : l. 11.

CUMULATIVE.

Remedy by Writ of Mandamus under Section 23, and not to exclude or interfere with other remedies provided by this Act or Acts to which it is a supplement. § 23 : p. 31 : l. 24.

CUSTODY.

Statistics, tables, and figures in annual reports of carriers to Commission to be preserved as public records in, of Secretary of Commission. § 16 : p. 24 : l. 9.

CUSTOMS DUTIES.

Freight shipped from United States through foreign country into United States of which the through rate not made public according to the Act shall be subject to, before it is admitted into the United States. § 6 : p. 10 : l. 37.

CUSTOMS INSPECTORS.

Free transportation, etc., may be given to. § 1 : p. 7 : l. 6.

[The references are to sections, pages, and lines]

D

DAMAGE.

Carrier issuing bill of lading, etc., on through interstate shipments entitled to recover amount of damage paid from carrier on whose line the loss, etc., occurred. § 20 : p. 29 : l. 10.

Carrier, etc., receiving property for transportation from point in one State to point in another, liable for any, etc., caused by it or by any carrier, etc., to whom property is delivered or over whose lines it may pass. § 20 : p. 28 : l. 40.

No complaint shall be dismissed because of absence of direct. § 13 : p. 18 : l. 23.

DAMAGED.

Any person claiming to be, by common carrier, etc., may

Complain to Commission. § 9 : p. 12 : l. 43. Or,

Sue for damages in United States District or Circuit Court.

§ 9 : p. 12 : l. 44.

Must elect which remedy he will pursue. § 9 : p. 13 : l. 5.

DAMAGES.

Common carrier, etc., liable for, sustained by any person, for violation of Act. § 8 : p. 12 : l. 29.

Common carrier, etc., liable for, caused by unjust discrimination, either severally or jointly with the person, etc., who induces it to discriminate unjustly, in an action on the case. § 10 : p. 15 : l. 13.

When, awarded by Commission, Report must contain findings of fact on which award is made. § 14 : p. 18 : l. 31.

Commission shall award, if it determines Party complainant entitled to. § 16 : p. 20 : l. 26, 28.

Complainant or person for whose benefit Order for payment of, was made, may enforce Order for, by Petition in United States Circuit Court. § 16 : p. 20 : l. 38.

Petition must be brought within one year of date of Order, and not after. § 16 : p. 21 : l. 9. See "Limitation of Actions."

Complaints for recovery of, must be filed with Commission within two years from time cause of action accrues and not after. § 16 : p. 21 : l. 5. See "Limitation of Actions."

DATA.

Reference to. § 21 : p. 29 : l. 23.

DAY.

Each, of pooling agreement a separate offense. § 5 : p. 9 : l. 36.

Each, of failure to keep accounts, etc., prescribed by Commission, a separate offense. § 20 : p. 27 : l. 45.

[The references are to sections, pages, and lines]

DAYS.

Five, notice to Commission and hearing before injunction can issue.

§ 16 : p. 23 : l. 39.

Thirty days' notice as to change in rates. § 1 : p. 10 : l. 45.

Commission may modify above requirement, etc. § 1 : p. 11 : l. 8.

DEBT.

Funded and floating, to be shown in annual report of carriers. § 20 : p. 26 : l. 18, 19.

DECISION.

Application for rehearing not to excuse obedience to order unless, etc. § 16 a : p. 24 : l. 7.

Of Commission shall be in Report. § 14 : p. 18 : l. 29.

Of Commission may be reversed, changed or modified. § 16 a : p. 24 : l. 18, 37, 39.

Decision after rehearing subject to same provisions as original order. § 16 a : p. 24 : l. 39.

DECISIONS.

Of Commission may be published. § 14 : p. 18 : l. 37.

Of Commission. See "Reports and Decisions."

DECLARED.

Every unjust and unreasonable charge, unlawful. § 1 : p. 6 : l. 27.

DECREE.

No, injunction, interlocutory order, etc., of Court, suspending or restraining enforcement of Order of Commission, without a hearing and five days' notice. § 16 : p. 23 : l. 39.

Appeal from final, of Circuit Court in equity suits, in which United States is complainant, under Act, etc., only to United States Supreme Court. Act Feb. 11, 1903. § 2 : p. 39 : l. 23.

Above not to affect pending appeals in Circuit Court of Appeals. Act Feb. 11, 1903. § 2 : p. 39 : l. 26.

May be made either in proceedings before Commission or in Circuit Court, against persons made additional parties because interested in or affected by investigation. § 2 : p. 36 : l. 42.

Any person interested may be made party to decree, etc. Elkins Act. § 1 : p. 36 : l. 37.

DEEMED.

Reference to. § 1 : p. 7 : l. 17.

DEFENDANTS.

All carriers, parties to order of Commission awarding damages may be joined as defendants in suit for such damages. § 16 : p. 21 : l. 16.

DEFINED.

Provisions of Section 6 shall apply to all traffic, transportation, and facilities, in Act. § 6 : p. 10 : l. 26.

[The references are to sections, pages, and lines]

DEFINED (Continued).

No carrier, unless otherwise provided by Act, shall engage in transportation of passengers or property as, in Act unless its rates, fares, and charges are published and filed in accordance with Act. § 6 : p. 11 : l. 36.

Interstate Commerce as, in Act. Commission may require annual reports from common carriers, etc., engaged in. § 20 : p. 26 : l. 11.

Transportation as defined in Section 1 of Act. § 15 : p. 19 : l. 9.

DEFINITIONS.

"Carrier." Means common carrier. § 1 : p. 12 : l. 5.

"Common carrier." Shall include express companies and sleeping car companies. § 1 : p. 6 : l. 1.

False billing by shipper. § 10 : p. 14 : l. 31.

False billing, etc., by carrier. § 10 : p. 14 : l. 11.

"Fraud." False billing by shipper. § 10 : p. 14 : l. 31.

"Misdemeanor." Violating Act or aiding or abetting therein, etc. § 10 : p. 13 : l. 35.

"Railroad." Shall include : —

(a) All bridges and ferries used or operated in connection with any Railroad. § 1 : p. 6 : l. 4.

(b) All the road in use by any corporation operating a railroad, whether owned or operated under a contract, agreement, or lease. § 1 : p. 6 : l. 5.

(c) All switches, spurs, tracks, terminal facilities of every kind used or necessary in transportation of persons or property designated herein. § 1 : p. 6 : l. 8.

(d) All freight depots, yards, grounds, used or necessary in transportation or delivery of any of said property. § 1 : p. 6 : l. 10.

"Transportation." Shall include : —

(a) Cars and other vehicles. § 1 : p. 6 : l. 13.

(b) All instrumentalities and facilities of shipment or carriage. § 1 : p. 6 : l. 14.

Irrespective of ownership, or of any contract, express or implied, for the use thereof. § 1 : p. 6 : l. 16.

(c) All services in connection with
Receipt, delivery, elevation,
Transfer in transit, ventilation, refrigeration,
Icing, storage, and handling
Of property transported. § 1 : p. 6 : l. 17.

"Unjust discrimination."

Directly or indirectly,

By,

Any special rate, rebate, drawback,

Or other device

[The references are to sections, pages, and lines]

DEFINITIONS (Continued).

“Unjust discrimination” (*Continued*).

Charge, demand, collect, or receive,

From any person or persons,

A greater or less compensation

For any service rendered or to be rendered,

In transportation of passengers or property,

Subject to provisions of Act

Than it charges, demands, collects, or receives

From any other person or persons,

For doing for him or them a like and contemporaneous service

In the transportation of

A like kind of traffic

Under substantially similar circumstances and conditions. § 2 :
p. 8 : l. 21.

DELAY.

Reference to. § 19 : p. 25 : l. 43.

DELIVER.

Reference to. Elkins Act. § 1 : p. 36 : l. 2.

DELIVERED.

Reference to. § 20 : p. 29 : l. 3.

DELIVERING.

Act not to apply to, of property wholly within one State, etc. § 1 :
p. 5 : l. 31.

Carriers, etc., to afford all reasonable, etc., facilities for delivering,
etc., of passengers and property. § 3 : p. 9 : l. 3.

DELIVERY.

All services in connection with, of property included in term “trans-
portation.” § 1 : p. 6 : l. 17.

All freight depots, yards, and grounds used or necessary in trans-
portation or, of said property included in term “railroad.”
§ 1 : p. 6 : l. 12.

DEMAND.

No carrier, etc., shall demand, etc., greater or less compensation,
etc., from one than from another, etc. § 2 : p. 8 : l. 24, 28.

No carrier, unless otherwise provided by Act, demand, etc., greater,
or less, or different compensation than published rates. § 6 :
p. 11 : l. 40.

Unlawful to, greater or less compensation for transportation of per-
sons or baggage than rates filed with Commission, on joint in-
terchangeable mileage tickets. § 22 : p. 30 : l. 34.

Shall not, etc., any rate, etc., in excess of maximum prescribed by
Commission. § 15 : p. 19 : l. 24.

DEMANDED.

Commission may determine whether rates, etc., by carriers, etc.,
are unjust or unreasonable, etc., etc. § 15 : p. 19 : l. 6.

[The references are to sections, pages, and lines]

DEPARTURE.

From a rate filed with Commission, or published under Act or participated in so filed or published, an offense under Section 1. Elkins Act. § 1 : p. 35 : l. 44.

DEPOSITIONS.

May be taken at instance of any party, etc., after cause is at issue on petition and answer. § 12 : p. 17 : l. 1.

Commission may order testimony to be taken by, at any stage of proceeding or investigation. § 12 : p. 17 : l. 3.

May be taken before:

Judge of United States Court

Commissioner of United States Circuit Court

Clerk of a District or Circuit Court

Any Chancellor, Justice, or Judge of a Supreme or Superior Court.

Mayor or Magistrate of a City

Judge of a County Court or Court of Common Pleas of any State

Any Notary Public, not of counsel, etc.

Nor interested in the event, etc. § 12 : p. 17 : l. 6.

Of Witness in Foreign Country.

May be taken by an officer or person

Designated by Commission

Or agreed upon by parties

By stipulation in writing

Filed with Commission. § 12 : p. 17 : l. 30.

Party, or attorney proposing to take deposition

Must give reasonable notice to opposite party or attorney, etc.

Which shall state

Name of witness

Time and place of taking deposition. § 12 : p. 17 : l. 14.

Testimony by, may be compelled, etc., as witnesses before Commission. § 12 : p. 17 : l. 19.

Manner of taking.

Oath or affirmation.

Testimony reduced to writing by Magistrate taking deposition or under his direction,

Subscribed by deponent. § 12 : p. 17 : l. 24.

All must be promptly filed with Commission. § 12 : p. 17 : l. 34.

Witnesses and Magistrate entitled to same fees as paid in Courts of United States. § 12 : p. 17 : l. 36.

DEPOT.

Schedules to be printed and posted in two public and conspicuous places in every, etc. § 6 : p. 10 : l. 20.

Freight carried through foreign country. Schedules to be printed and kept open to public inspection, etc., in every. § 6 : p. 10 : l. 31.

[The references are to sections, pages, and lines]

DEPRIVE.

Nothing in Section 20 shall, holder of bill of lading, etc., of any existing remedies. § 20 : p. 29 : l. 7.

DESIGNATED.

Reference to. § 1 : p. 6 : l. 10.

DESIST.

Commission to order carrier to desist from violation of Act, etc. § 15 : p. 19 : l. 20.

DESTINATION.

Unlawful to prevent, etc., carriage of freights from being continuous from place of shipment to place of, unless in good faith, etc. § 7 : p. 12 : l. 20, 24.

DESTITUTE PERSONS.

Free passes, etc., may be given to. § 1 : p. 6 : l. 40. § 22 : p. 29 : l. 35.

DESTROY.

Penalty for any person, etc., who shall wilfully, accounts, etc. § 20 : p. 28 : l. 4.

DETERMINATION.

Commission may reverse, change, or modify its original. § 16 a : p. 24 : l. 41.

Of question of fact as to proper compensation will not prevent issue of Writ of Mandamus by Court on proper terms. § 23 : p. 31 : l. 22.

DETERMINE.

Commission may, maximum, just, and reasonable rates, just, fair, and reasonable regulation or practice, etc. § 15 : p. 19 : l. 14.

Switch connections. Reasonable compensation. § 1 : p. 8 : l. 14.

Services rendered by owner, etc. Reasonable maximum charge. § 15 : p. 20 : l. 12.

Division of joint rates. § 15 : p. 19 : l. 37.

DEVICE.

Shall not refund or remit rates, etc., filed and published by any, etc. § 6 : p. 12 : l. 1.

Collecting, etc., greater or less compensation from one than from another, for like and contemporaneous service, etc., by rebate, drawback, or other, deemed to be unjust discrimination and prohibited, etc. § 2 : p. 8 : l. 23.

Common carrier, etc., giving transportation at less than regular rates established and in force by false billing, etc., or by any other device, guilty of misdemeanor, etc. § 10 : p. 14 : l. 6.

Shipper obtaining same by false billing, etc., or any other device. § 10 : p. 14 : l. 25.

[The references are to sections, pages, and lines]

DEVICE (Continued).

- Falsifying record, account, etc., by any. § 20 : p. 28 : l. 4.
- Transporting property at less than filed and published rates by any, unlawful. Elkins Act. § 1, p. 35 : l. 1.
- Any person accepting rebate, etc., by any, etc. Penalty. § 1 : p. 36 : l. 9.

DEVICES.

- Shall not prevent carriage being continuous, etc., by any other means or. § 7 : p. 12 : l. 13.

DIFFERENT.

- And competing railroads. Pooling of freights forbidden; also division of earnings. § 5 : p. 9 : l. 33.
- Greater, less, or, compensation. Carrier forbidden to charge, than tariff filed and in effect. § 1 : p. 11 : l. 40.

DIRECT.

- No complaint to be dismissed because of absence of direct damage. § 13 : p. 18 : l. 24.

DIRECT OR INDIRECT.

- Reference to. § 1 : p. 7 : l. 37.

DIRECTLY OR INDIRECTLY.

- Unjust discrimination, directly or indirectly, prohibited. § 2 : p. 8 : l. 22.
- Commission may determine maximum reasonable charge for services rendered by owner of property transported, directly or indirectly. § 15 : p. 20 : l. 8.
- Any person receiving rebate. Penalty. Elkins Act, § 1 : p. 36 : l. 8.
- Witness must answer on all subjects, and produce books, etc., relating to such transaction. § 3 : p. 37 : l. 43.
- No passes to be given, directly or indirectly, etc. § 1 : p. 6 : l. 32.

DIRECTOR.

- Of common carrier, etc. Penalty for violation of Act, etc. Fine, not to exceed \$5,000. § 10 : p. 13 : l. 28.
- If unlawful discrimination in rates, imprisonment not to exceed two years, or both fine and imprisonment. § 10 : p. 13 : l. 40, 43.
- Acts of, which are a misdemeanor under Act are also misdemeanor of corporation and subject to like penalties save as herein changed. Elkins Act. § 1 : p. 34 : l. 22.

DISABLED.

- Passes for inmates of certain Homes for, soldiers, etc. § 1 : p. 6 : l. 44.

DISADVANTAGE.

- Shall not subject any person, company, firm, corporation, or locality to any undue or unreasonable. § 3 : p. 8 : l. 42.

[The references are to sections, pages, and lines]

DISCONTINUANCE.

Court may require, of discriminations forbidden by law complained against by Commission. Elkins Act. § 3 : p. 37 : l. 21.

DISCRETION.

Commission in its, may grant rehearing. § 16 a : p. 24 : l. 23.

Commission may, in its, prescribe form of accounts, etc. § 20 : p. 27 : l. 22.

Of Court. Fine or imprisonment.

Unlawful discrimination. § 10 : p. 13 : l. 45.

False billing by carriers. § 10 : p. 14 : l. 16.

False billing by shippers. § 10 : p. 14 : l. 36.

Inducing common carrier to give unjust discrimination. § 10 : p. 15 : l. 7.

Wilfully making false entries in accounts, etc. § 21 : p. 28 : l. 15.

Special examiner divulging facts. § 21 : p. 28 : l. 25.

Refusal to testify before Commission, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 24.

Giving or receiving rebates. Elkins Act. § 1 : p. 35 : l. 20.

DISCRIMINATE.

Penalties for inducing carriers to, unjustly. § 10 : p. 14 : l. 41.

Carriers shall not, in rates and charges between connecting lines. § 3 : p. 9 : l. 5.

DISCRIMINATED.

Consignor or consignee, against may bring action on case. § 10 : p. 15 : l. 12.

DISCRIMINATION.

Unlawful in rates. Penalty. § 10 : p. 13 : l. 45.

Carrier shall furnish cars for movement of such traffic to best of its ability without. § 1 : p. 8 : l. 6.

Unlawful for carrier to give or for shipper to receive, in respect to transportation of property. Elkins Act. § 1 : p. 34 : l. 39.

Unlawful to give or receive any other. Elkins Act. § 1 : p. 35 : l. 5. Penalty. Elkins Act. § 1 : p. 35 : l. 7, 11, 19.

Commission may petition Court to require discontinuance of. Elkins Act. § 3 : p. 37 : l. 1.

Unjust.

Inducing carrier to give. Penalty. § 10 : p. 14 : l. 44.

No greater or less compensation, etc. § 2 : p. 8 : l. 33.

Aiding or abetting. Penalty. § 10 : p. 14 : l. 45.

DISCRIMINATORY.

Rates, regulations, or practices. § 15 : p. 19 : l. 12.

DISMISSED.

No complaint shall be, because of absence of direct damage to complaint. § 13 : p. 18 : l. 23.

[The references are to sections, pages, and lines]

DISOBEDIENCE.

- To subpoena of Commission, aid of Court may be invoked. § 12 : p. 16 : l. 24. See "Witnesses."
- Of Order other than for payment of money. Any party or Commission may petition Court to enforce Order. § 16 : p. 22 : l. 23.
- Of Order of Court to testify before Commission. Punishable as contempt. § 12 : p. 16 : l. 37.
- If Court finds carrier to be in, of Order regularly made and duly served it shall enforce obedience, etc. § 16 : p. 22 : l. 35, 39.
- See § 15 : p. 19 : l. 31. § 16 : p. 23 : l. 7, 18.

DISQUALIFY.

- Pecuniary interest to, Commissioner. § 17 : p. 25 : l. 4.

DISTANCE.

- Unlawful to charge more for shorter than for longer distance, over same line, in same direction, the shorter being included in longer distance. § 4 : p. 9 : l. 15.
- Carrier not authorized by Act to charge as great compensation for shorter as for longer distance. § 4 : p. 9 : l. 17.

DISTANCES.

- May be authorized by Commission in special cases to charge less for longer than for shorter. § 4 : p. 9 : l. 23.

DISTRIBUTED.

- Commissioners' reports to be, etc. § 21 : p. 29 : l. 22.

DISTRICT.

- United States Court within, in which misdemeanor is committed, given jurisdiction over. § 10 : p. 14 : l. 13. § 10 : p. 14 : l. 32. § 10 : p. 15 : l. 4.
- Petition to enforce Order of Commission to be brought in,
- (a) In which person resides, or
 - (b) In which principal operating office of carrier is located, or
 - (c) In, through which the road of carrier runs. § 16 : p. 20 : l. 35.
- Civil suits for forfeiture under Act to be brought in, where (a) carrier has principal operating office, or (b) any, through which road runs. § 16 : p. 22 : l. 6.
- Petition by party injured by refusal, etc., of carrier to obey Order of Commission, to be brought in, where (a) carrier has principal operating office, or (b) in, in which the disobedience happened. § 16 : p. 22 : l. 22.
- Suits against Commission to enjoin, set aside, annul, or suspend any order or requirement of Commission, shall be brought in, where carrier has its principal operating office. § 16 : p. 23 : l. 8.

[The references are to sections, pages, and lines]

DISTRICT (Continued).**United States District Attorneys.**

Duty of, at request of Commission to prosecute, under direction of Attorney-General, for enforcement of Act and punishment of violations. § 12 : p. 16 : l. 8.

Duty of, under direction of Attorney-General, to prosecute for recovery of forfeiture under Act. § 16 : p. 22 : l. 11.

Duty of, whenever Attorney-General shall direct, on his own motion or on request of Commission, to institute and prosecute proceedings to enjoin departures from published rates or any discriminations forbidden by law. § 3 : p. 37 : l. 27.

United States District Court.

Given jurisdiction for violations of Act generally, which are held to be misdemeanors. § 10 : p. 13 : l. 35.

Given jurisdiction under general phrase, "Any Court of United States of competent jurisdiction," over misdemeanors covering false billing, etc., by carriers. § 10 : p. 14 : l. 11.

Similar jurisdiction over false billing, etc., by shippers, etc. § 10 : p. 14 : l. 30.

Similar jurisdiction over inducing carrier to discriminate unjustly. § 10 : p. 15 : l. 4.

Given jurisdiction concurrently with Circuit Courts to issue Writ of Mandamus for violation, etc., of Act. § 21 : p. 23 : l. 26.

Concurrent jurisdiction over false entries, false accounts, etc. § 20 : p. 28 : l. 13.

Also over examiner divulging facts, etc. § 20 : p. 28 : l. 23.

Also over refusal to testify, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 21.

Offenses under Elkins Act. Elkins Act. § 1 : p. 35 : l. 22. § 1 : p. 36 : l. 25.

DISTRICT OF COLUMBIA.

References to. § 1 : p. 5 : l. 16. Elkins Act. § 1 : p. 36 : l. 5, 6, 7. § 1 : p. 7 : l. 32.

DIVIDENDS.

Annual reports of carriers shall show, paid, etc. § 20 : p. 26 : l. 17.

DIVISION.

Of earnings of different and competing railroads forbidden. § 5 : p. 9 : l. 34.

Of joint rates. Commission may prescribe. § 15 : p. 19 : l. 38.

Of joint rates over through routes established by Commission. May prescribe on complaint. § 15 : p. 19 : l. 43.

Of opinion of Judges in Equity suits in which United States is complainant under Act, etc. Case shall be certified to United States Supreme Court for review, as if taken there by Appeal as hereinafter provided. Act Feb. 11, 1903. § 1 : p. 39 : l. 15.

[The references are to sections, pages, and lines]

DIVULGE.

Special agents, etc., not to, facts, etc. § 20 : p. 28 : l. 18.

DO.

Or omit to do. Reference to. § 8 : p. 12 : l. 30, 32. § 10 : p. 13 : l. 25, 28.

DOCUMENTARY EVIDENCE.**DOCUMENTS.**

See "Witnesses."

Commission may order production of, relating to any matter under investigation. § 12 : p. 16 : l. 9. § 12 : p. 16 : l. 22.

May invoke aid of Court to compel production of, etc. § 12 : p. 16 : l. 28.

Refusal to produce in obedience to subpoena of Commission. Penalty. Act Feb. 11, 1893. § 1 : p. 33 : l. 17.

No person excused from producing, etc., before Commission because tending to self-criminate. § 9 : p. 13 : l. 16. § 12 : p. 16 : l. 42. Act Feb. 11, 1893. § 1 : p. 32 : l. 17. Elkins Act. § 3 : p. 38 : l. 1.

All laws as to, of evidence, etc., to apply to all proceedings under Act of June 29, 1906. Act June 29, 1906. § 9 : p. 32 : l. 6.

Shall not be used against person giving, evidence, etc., in any criminal proceeding. § 9 : p. 13 : l. 16. § 12 : p. 16 : l. 42.

No person shall be prosecuted or subjected to any penalty or forfeiture, etc., on account of anything he may produce, etc., in documentary evidence. Act Feb. 11, 1893. § 1 : p. 33 : l. 7. Elkins Act. § 3 : p. 38 : l. 3.

Immunity limited to natural persons who,

1. In obedience to subpoena
2. Gives testimony, or,
3. Produces evidence, documentary or otherwise,
4. Under oath. Act June 30, 1906. § 1 : p. 34 : l. 11.

DRAWBACK.

Charging greater or less compensation from one than from another under substantially similar conditions, etc., by means of drawback, etc., etc., prohibited. § 2 : p. 8 : l. 23.

DULY.

If order regularly made and duly served Court shall enforce. See "Enforce." § 16 : p. 22 : l. 34.

DUTY.

Of Commission to execute and enforce Act. § 12 : p. 16 : l. 6.

Other duties of Commission. See "Commission."

Of United States District Attorneys. See "District Attorneys, United States."

Of Attorney-General.

To file certificate under Expediting Act in all suits against carriers for disobedience of Order of Commission and in all suits against Commission to enjoin, etc., its Order. § 16 : p. 23 : l. 29.

[The references are to sections, pages, and lines]

DUTY (Continued.)

Of Common Carriers subject to the Act.

- To furnish transportation upon request therefor. § 1 : p. 6 : l. 21.
- To establish through routes and just and reasonable rates applicable thereto. § 1 : p. 6 : l. 22.
- To make just and reasonable charges for services, etc. § 1 : p. 6 : l. 23.
- To give no interstate free tickets, free passes, etc., except to certain designated classes. § 1 : p. 6 : l. 30.
- To transport no article or commodity which they own or in which they are interested, excepting only certain articles. § 1 : p. 7 : l. 29.
- To construct, maintain, and operate upon reasonable terms switch connections, etc. § 1 : p. 7 : l. 43.
- To furnish cars for movement of such traffic to the best of its ability without discrimination, etc. § 1 : p. 8 : l. 4.
- To charge, etc., no greater nor less compensation for service rendered in transportation of passengers or property, etc., from one than from all for like service, etc. § 2 : p. 8 : l. 23.
- To give no special rates, rebates, drawbacks, or other device, etc. § 2 : p. 8 : l. 22.
- To give no undue or unreasonable preference or advantage to any particular person, etc., or locality, or any particular description of traffic. § 3 : p. 8 : l. 37.
- To subject no particular person, etc., locality, or any particular description of traffic to any undue or unreasonable prejudice or disadvantage, etc. § 3 : p. 8 : l. 40.
- To afford all reasonable, proper, and equal facilities for interchange of traffic and for receiving, forwarding, and delivering of passengers and property with connecting lines, etc. § 3 : p. 9 : l. 1.
- Not to discriminate in rates, etc., between connecting lines. § 3 : p. 9 : l. 5.
- To charge, etc., no greater compensation for transportation of passengers or of like kind of property, etc., for a shorter than for a longer distance, etc., except as authorized by Commission. § 4 : p. 9 : l. 11.
- Not to enter into a contract, agreement, or combination for pooling of freights of different and competing railroads, or to divide aggregate or net proceeds of earnings, etc. § 5 : p. 9 : l. 30.
- To file and publish rates, single or joint. § 6 : p. 9 : l. 40.
- To file and publish rates as to joint interchangeable mileage tickets. § 22 : p. 30 : l. 19.
- To file separately established rates, when no joint rate exists over through route. § 6 : p. 10 : l. 4.
- To state in schedules filed all privileges and facilities granted, etc. § 6 : p. 10 : l. 13.

[The references are to sections, pages, and lines]

DUTY. Of Common Carriers subject to the Act (Continued).

To state in schedule filed all charges, etc., as specified. § 6 : p. 10 : l. 11.

Other facts which must be stated in schedule, etc. § 6 : p. 10 : l. 7.

To specify in joint tariffs names of carriers parties thereto, etc. § 6 : p. 11 : l. 15.

To make no change in rates, etc., or in joint rates, etc., except after thirty days' notice to Commission and to public, etc., unless with consent of Commission. § 6 : p. 10 : l. 42, 45.

To file evidence of concurrence in joint rates. § 6 : p. 11 : l. 18.

To charge no greater nor less compensation under joint interchangeable mileage tickets, etc., than that specified in tariffs filed. § 22 : p. 30 : l. 34.

Not to engage in transportation of passengers or property unless rates, etc., are filed and published. § 6 : p. 11 : l. 34.

To file with the Commission copies of all contracts, etc., relating to traffic, etc. § 6 : p. 11 : l. 24.

To charge no greater, less, or different compensation for transportation of passengers or property than the filed and published rates. § 6 : p. 11 : l. 39.

Not to refund or remit in any manner or by any device any portion of the rates, etc., specified in the tariffs. § 6 : p. 11 : l. 45.

Not to extend to any shipper or person, etc., any privileges or facilities in transportation of passengers or property except such as specified in tariffs. § 6 : p. 12 : l. 2.

To give preference in military traffic in war on demand of President. § 6 : p. 12 : l. 8.

Not to combine, etc., to prevent carriage of freights being continuous. § 7 : p. 12 : l. 16.

To make reparation to shippers, etc., for injury, etc. § 13 : p. 18 : l. 8.

To obey all orders of the Commission as long as they are in force. § 16 : p. 21 : l. 37.

To comply with all orders of the Commission for the payment of money. § 16 : p. 20 : l. 31.

To obey orders of the Commission pending application for rehearing, unless by special order excused, etc. § 16 a : p. 24 : l. 26.

To file annual reports as prescribed by Commission. § 20 : p. 6 : l. 8.

To file special reports when called for by Commission. § 20 : p. 27 : l. 12.

To file monthly reports of earnings and expenses when called for by Commission. § 20 : p. 27 : l. 11.

To answer all questions authorized by Act. § 20 : p. 27 : l. 5.

To keep accounts, etc., as prescribed by Commission. § 20 : p. 27 : l. 22.

[The references are to sections, pages, and lines]

DUTY. Of Common Carriers subject to the Act (Continued).

- To keep no other accounts than such as are subscribed or approved by Commission. § 20 : p. 27 : l. 29.
- To submit accounts, books, etc., to inspection of Commission or of its special agents. § 20 : p. 27 : l. 27, 34.
- To keep full and true entries, etc. § 20 : p. 28 : l. 6.
- To issue receipt or bill of lading on through shipments in interstate commerce. § 20 : p. 28 : l. 42.
- To move and transport traffic on equal terms. § 23 : p. 31 : l. 13.
- To furnish cars or other facilities for transportation. § 23 : p. 31 : l. 14.
- Not to offer, grant, or give any rebate, concession, or discrimination in respect to property transported. Elkins Act. § 1 : p. 34 : l. 38.

E**EARNINGS.**

- Division of aggregate or net proceeds of, of railroads, etc., or any portion thereof, unlawful. § 5 : p. 9 : l. 34.

EARNINGS AND EXPENSES.

- Commission may require carriers, etc., to file monthly report of, or special reports within a specified period. § 20 : p. 27 : l. 11.

EARNINGS AND RECEIPTS.

- Annual reports of carriers, etc., shall show, from each branch of business and from all sources. § 20 : p. 26 : l. 25.

EFFECT.

- Act June 29, 1906, to take effect and be in force from and after its passage. Act June 29, 1906. § 11 : p. 32 : l. 17.
- Act June 29, 1906, shall take, and be in force sixty days after its approval by the President of the United States. Joint Resolution June 30, 1906. § 1 : p. 32 : l. 19.
- Orders of Commission, except for payment of money, to take effect within reasonable time, not less than thirty days, etc. § 15 : p. 19 : l. 27.

EITHER PARTY.

- At request of, proceedings before Commission to be public. § 17 : p. 25 : l. 13.

ELECTION.

- Person claiming to be damaged by any common carrier, etc., to have, to complain to Commission or to bring suit for damages in any District or Circuit Court of United States of competent jurisdiction. Cannot have both remedies. § 9 : p. 12 : l. 43, 45. § 9 : p. 13 : l. 5.

[The references are to sections, pages, and lines]

ELEEMOSYNARY.

Institution. Free transportation may be given to inmates of. § 1 : p. 6 : l. 38.

ELEVATION.

All services in connection with, included in the term "transportation." § 1 : p. 6 : l. 17.

ELKINS ACT.

Feb. 19, 1903. Same jurisdiction as provided in, for offenses extended to offense under anti-pass provisions of Section 1 as amended by Act of June 29, 1906. § 1 : p. 7 : l. 23.

EMPLOY.

No person in, of carrier, etc., eligible for Commission. § 11 : p. 15 : l. 32.

Commission may, special counsel. § 10 : p. 21 : l. 15.

EMPLOYED.

Corporation liable for misdemeanors of any person, etc., by it. Elkins Act. § 1 : p. 34 : l. 23.

Passes to certain agents, in transportation of indigent persons, etc. § 1 : p. 6 : l. 42.

EMPLOYEES.

Common carriers subject to Act may give free passes, etc., to, and their families. § 1 : p. 6 : l. 34.

Railroads may give free carriage to employees. § 22 : p. 30 : l. 4.

Common carrier subject to Act may give free passes, etc., to, on express cars, sleeping cars, and Railway Mail Service. § 1 : p. 7 : l. 3, 5.

Interchange of passes for, of common carriers and their families allowed. § 1 : p. 7 : l. 12.

Duty of, of every common carrier to observe and comply with Orders of Commission so long as they remain in effect. § 16 : p. 21 : l. 36.

Commission may employ as many as it may find necessary to proper performance of its duties, and fix compensation. § 18 : p. 25 : l. 25.

Expenses of transportation of, in making investigations to be paid on vouchers, etc., approved by Chairman. § 18 : p. 25 : l. 35.

Annual reports of carriers, etc., shall show number of, and salaries paid each class. § 20 : p. 26 : l. 22.

Also accidents to employees, etc. § 20 : p. 26 : l. 22. (See Act March 3, 1901, requiring monthly reports. § 1 : p. 49 : l. 5.)

ENFORCE.

Commission to enforce, etc., Act. § 12 : p. 16 : l. 6.

Court, on petition of Commission, may, observance of published tariffs. § 3 : p. 37 : l. 21.

[The references are to sections, pages, and lines]

ENFORCEABLE.

Process issued by Courts to require discontinuance of any discrimination forbidden by law, as well against the parties interested in the traffic as against the carrier, etc. Elkins Act. § 3 : p. 37 : l. 24.

ENFORCED.

Order for switch connection. How enforced. § 1 : p. 8 : l. 18.

ENFORCEMENT.

Any party injured by refusal of carrier to obey Order of Commission other than for payment of money, or the Commission itself, may petition Circuit Court for, of Order. § 16 : p. 22 : l. 24.

Application to Commission for rehearing shall not stay, of Order. § 16 a : p. 24 : l. 29.

In, of process to enjoin obedience to order Court to have powers, etc., exercised in writs of injunction and Mandamus. § 16 : p. 22 : l. 41.

ENGAGE.

Shall not, in transportation, etc., unless rates, etc., published and filed. § 6 : p. 11 : l. 35.

ENGAGED.

References to. § 1 : p. 5 : l. 5, 11. § 1 : p. 6 : l. 39.

ENJOIN.

Court to, upon carrier obedience to Order of Commission. § 16 : p. 22 : l. 40.

Order of Commission, Court may enjoin, etc., in suit. § 16 : p. 23 : l. 6, 17. See § 15 : p. 19 : l. 32.

ENLARGEMENT.

Two new members of Commission. § 24 : p. 31 : l. 32.

ENTER.

Reference to. § 1 : p. 6 : l. 45.

ENTITLED.

Initial carrier, to recover from connecting carrier, etc., responsible amount paid by it for loss, etc., to goods received for interstate shipment. § 20 : p. 29 : l. 12.

ENTRIES.

Wilful failure to make correct, etc. Penalty. § 20 : p. 28 : l. 7.

ENTRY.

Appeal from interlocutory order or decree of Circuit Court granting or continuing an injunction in any suit, must be taken within thirty days from, of such Order or decree, and only to U. S. Supreme Court. § 16 : p. 23 : l. 45.

[The references are to sections, pages, and lines]

ENTRY (Continued).

Wilfully making false, in accounts, etc. Penalty: fine, imprisonment, or both. § 20 : p. 28 : l. 1.

Port of. Reference to. § 1 : p. 5 : l. 27, 28.

ENUMERATION.

Of powers in the Commission under Section 15, not exclusive. § 15 : p. 20 : l. 19.

EPIDEMIC.

Passengers may be carried free to provide relief in cases of general. § 1 : p. 7 : l. 15.

EQUAL.

Every common carrier, etc., shall afford, facilities for interchange of traffic, etc. § 3 : p. 9 : l. 1.

EQUIPMENT.

Cost and value of. Annual report of carriers, etc., to contain. § 20 : p. 26 : l. 20.

EQUITY.

Proceedings in, to enforce order, etc., of Commission or any provision of Act to be subject to Expediting Act of Feb. 11, 1903. § 16 : p. 23 : l. 24.

Commission may file Petition in Circuit Court to enjoin departure from published rates or any discrimination forbidden by law. Elkins Act. § 3 : p. 37 : l. 6.

Expediting Act of Feb. 11, 1903, to apply to certain equity suits. See "Expediting Act of Feb. 11, 1903."

ESTABLISH.

Duty of carrier to, through routes and reasonable rates. § 1 : p. 6 : l. 22.

Commission, after hearing, on complaint, may establish through routes and maximum joint rates, etc., etc., when carrier, etc., has refused or neglected voluntarily to establish, provided no reasonable through route exists. § 15 : p. 19 : l. 35.

ESTABLISHED.

If no joint rate over through route has been, carriers shall file and publish the separately established rates, etc., applied to the through transportation. § 6 : p. 10 : l. 3.

If through route, through rates to points on water routes must be published and filed. § 6 : p. 10 : l. 1.

Through rates, on freight carried through foreign country must be printed and kept open to public inspection, etc., etc. § 6 : p. 10 : l. 33.

False billing by carriers to give less than, rates. Penalty. § 10 : p. 14 : l. 9.

[The references are to sections, pages, and lines]

ESTABLISHED (Continued).

Same by shippers. Penalty. § 10 : p. 14 : l. 28.

Interstate Commerce Commission. § 11 : p. 15 : l. 5.

EVADE.

Breaking continuous carriage not unlawful if done in good faith without intent to, Act. § 7 : p. 12 : l. 28.

EVIDENCE.

Reports and decisions of Commission published by it shall be competent evidence, etc., without further proof or authentication. § 14 : p. 18 : l. 43.

Findings and Order of Commission shall be prima facie, of facts therein stated in suits on Orders of Commission for payment of money. § 16 : p. 20 : l. 42.

Registry mail receipt shall be, prima facie, of receipt by carrier of Order of Commission. § 16 : p. 21 : l. 30.

The public records of Commission, statistics, tables, figures, etc., shall be prima facie, of what they purport to be, for purpose of investigations by Commission and in all judicial proceedings. § 16 : p. 24 : l. 10.

Special agents or examiners appointed by Commission to carry out Act may receive. § 20 : p. 28 : l. 35.

Receipt, judgment, or transcript thereof shall be conclusive evidence in suit by initial carrier against another carrier for damages paid by initial carrier for injury to property, etc. § 20 : p. 29 : l. 10.

All existing laws as to production of, under Act and amendments shall apply to any and all proceedings and hearings under Act of June 29, 1906. Act June 29, 1906. § 9 : p. 32 : l. 6. See "Papers;" "Witnesses."

Self-criminating.

Immunity. See "Witnesses."

Shall not excuse person from testifying, etc., but evidence, etc., shall not be used against such person on trial of any criminal case. § 9 : p. 13 : l. 15. § 12 : p. 16 : l. 42. Act Feb. 11, 1893. § 1 : p. 32 : l. 32. Elkins Act. § 3 : p. 38 : l. 3.

No person shall be prosecuted or subjected to any penalty or forfeiture because of testimony before said Commission or in obedience to its subpoena, etc. Perjury excepted. Act Feb. 11, 1893. § 1 : p. 33 : l. 7.

Shall not excuse such person from testifying or such corporation from producing its books or papers, but no person shall be prosecuted or subjected to any penalty, etc., etc. Elkins Act. § 3 : p. 38 : l. 3.

Immunity shall extend only to a natural person who, in obedience to a subpoena, gives testimony under oath or produces evidence, documentary or otherwise, under oath. Act June 30, 1906. § 1 : p. 34 : l. 11.

[The references are to sections, pages, and lines]

EVIDENCED.

Reference to. § 20 : p. 29 : l. 16.

EXAMINATION.

Of accounts, etc., by Special Agents or Examiners appointed by Commission. § 20 : p. 27 : l. 32.

EXAMINERS.**Special.**

May be employed by Commission to inspect accounts, etc. § 20 : p. 27 : l. 32.

Penalty for divulging facts. § 20 : p. 28 : l. 18.

May be appointed by Commission to carry out and give effect to Act, etc. Powers of. § 20 : p. 28 : l. 35.

EXCEPT.

References to. § 1 : p. 5 : l. 6. § 1 : p. 6 : l. 34.

EXCEPTED.

Classes, to whom free transportation may be given. See " Passes ; "
" Free Transportation." § 1 : p. 6 : l. 34. § 22 : p. 29 : l. 31.

EXCHANGE.

Of passes for officers, agents, and employees of common carriers and their families allowed. § 1 : p. 7 : l. 11.

The principal officers of any railroad company may exchange passes or tickets with other railroad companies for their officers and employees. § 22 : p. 30 : l. 4.

EXCLUDE.

Writ of Mandamus to enforce movement of traffic on equal terms, etc., and to secure cars or other facilities, shall be cumulative and shall not exclude or interfere with other remedies provided by Act, etc. § 23 : p. 31 : l. 24.

EXCLUSIVE.

Enumeration of powers in Commission not. § 15 : p. 20 : l. 19.

EXCLUSIVELY.

Reference to. § 1 : p. 6 : l. 39.

EXCURSION.

Tickets authorized. § 22 : p. 29 : l. 38.

EXCUSE.

Application to Commission for a rehearing shall not, carrier from complying with or obeying decision, order, or requirement of Commission. § 16 a : p. 24 : l. 27.

EXECUTE.

Commission required to, and enforce provisions of Act. § 12 : p. 16 : l. 6.

[The references are to sections, pages, and lines]

EXEMPT.

Neither common carrier, railroad or transportation company can, itself by any contract, receipt, etc., from liability to lawful holder of bill of lading for damage to through shipments caused by other common carriers, etc., over whose lines the property may pass. § 20 : p. 29 : l. 5.

Witness committing perjury not. Act Feb. 11, 1893. § 1 : p. 33 : l. 14.

EXHIBIT.

Annual report of carriers, etc., shall contain complete, of financial operations of carrier each year. § 20 : p. 26 : l. 28.

EXHIBITION.

Free carriage or reduced rates allowed property carried to or from fairs and exhibitions for, thereat. § 22 : p. 29 : l. 34.

EXISTING.

Holder of bill of lading not deprived of any remedy or right of action under existing law by provisions of Section 20 imposing liability on initial carrier of through freight for damage, etc. § 20 : p. 29 : l. 7.

EXPEDITE.

See "Expedition."

Act of Feb. 11, 1903, to apply to:—

All suits brought against Commission to set aside, etc., any Order. § 16 : p. 23 : l. 18.

Including Hearings on preliminary injunctions. § 16 : p. 23 : l. 23.

To any proceeding in Equity to enforce any Order or requirement of Commission. § 16 : p. 23 : l. 24.

Or any provisions of Act of Feb. 4, 1887, and all Acts amendatory thereof or supplementary thereto. § 16 : p. 23 : l. 25.

To any case prosecuted under direction of Attorney-General in name of Commission. Elkins Act. § 3 : p. 38 : l. 16.

EXPEDITION.

Act of Feb. 11, 1903. § 1 : p. 38 : l. 29.

Section 1. In any suit in Equity

In United States Circuit Court

Under Interstate Commerce Act, etc.,

Or any other Acts of like purpose

Hereafter enacted

Wherein United States is complainant

Attorney-General may file with clerk

Certificate that case is of general public importance. § 1 : p. 39 : l. 5.

Copy to be furnished each of Circuit Judges by clerk in Circuit in which case is pending.

[The references are to sections, pages, and lines]

EXPEDITION (Continued).**Section 1 (Continued).**

Case shall be given precedence over all others

In every way expedited. § 1 : p. 39 : l. 9.

Assigned for hearing at earliest practicable day

Before three Judges of Circuit Court

Or before two Circuit and one District Judge, etc.

If Judges divided in opinion

Case to be certified to United States Supreme Court for Review,
etc. § 1 : p. 38 : l. 14.

Section 2. Appeal from final decree of Circuit Court to Supreme Court only,

Must be taken within sixty days from entry thereof

Pending appeals in Circuit Court of Appeals not affected

Case shall proceed to final decree with appeal to Supreme Court
as now provided by law. § 1 : p. 39 : l. 18.

EXPENDED.

Amount, for improvements to be shown in annual reports of carriers.

§ 20 : p. 26 : l. 23.

EXPENDITURES.

Forms of accounts, etc., as to receipts and, of money may be prescribed by Commission. § 20 : p. 27 : l. 26.

EXPENSE.

Reference to. § 19 : p. 25 : l. 43.

EXPENSES.

Of Commission outside of Washington paid on itemized vouchers signed by Chairman. § 18 : p. 25 : l. 33.

Operating, to be shown in carriers' annual reports. § 20 : p. 26 : l. 26.

Also other. § 20 : p. 26 : l. 26.

Monthly reports of, and earnings may be required of carriers by Commission. § 20 : p. 27 : l. 11.

EXPIRATION.

Of terms of Commissioners. § 24 : p. 31 : l. 37, 42.

EXPORT.

Rates for. Whether to be filed and published. Act says provisions of Section 6 shall apply to all traffic, transportation, and facilities defined in Act of June 29, 1906. § 6 : p. 10 : l. 24.

EXPOSITIONS.

Property carried to or from, for exhibition thereat may be carried at free or at reduced rates. § 22 : p. 29 : l. 34.

EXPRESS.

Companies made common carriers subject to Act. § 1 : p. 6 : l. 2.

Employees on, cars may be given free passes, etc. § 1 : p. 7 : l. 3.

[The references are to sections, pages, and lines]

EXPRESS OR IMPLIED.

Term "transportation" to include cars, etc., etc., irrespective of ownership or of any contract, express or implied. § 1 : p. 6 : l. 15.

EXTEND.

Immunity to, only to natural person, etc. Act June 30, 1906. § 1 : p. 34 : l. 12.

Carriers to, no privileges, etc., unless in tariff, etc. § 6 : p. 12 : l. 2.

Commission may, time for filing annual reports. § 20 : p. 26 : l. 45.

EXTENDED.

Time when Act of June 29, 1906, to take effect, to sixty days after its approval by President. Joint Resolution. June 30, 1906. § 1 : p. 32 : l. 19.

F

FACILITIES.

Term "transportation" includes all instrumentalities and facilities of shipment, etc. § 1 : p. 6 : l. 14.

Carriers shall afford reasonable, proper, and equal, for interchange of traffic, etc. § 3 : p. 9 : l. 1.

Carriers shall not extend to any shipper or person any privileges or, etc., except such as are specified in tariffs. § 6 : p. 12 : l. 3.

Carrier not obliged to give use of its tracks or terminal, to another carrier engaged in like business. § 3 : p. 9 : l. 8.

Schedules, etc., shall state separately all privileges or facilities granted or allowed. § 6 : p. 10 : l. 13.

Provisions of Section 6 shall apply to all traffic, transportation, and, defined in this Act. § 6 : p. 10 : l. 25.

Writ of Mandamus may be had on relation of any person, etc., to obtain equal, for transportation. § 23 : p. 31 : l. 14.

FACT.

Notwithstanding question of, as to proper compensation is raised by pleadings, Writ of Mandamus may issue upon such terms as to security, etc., as Court may think proper, pending the determination of the question of fact. § 23 : p. 31 : l. 16, 19, 22.

Matter of fact. Reference to. § 19 : p. 26 : l. 4.

FACTS.

Court, in petition to enforce Order of Commission, shall ascertain, at issue or which may arise, through such means as it may deem needful. § 16 : p. 22 : l. 31.

Where Commission grants a rehearing it may consider all, arising since former hearing. § 16a : p. 24 : l. 35.

Commission or any one, may inquire into any matter or question of, pertaining to business of carrier, etc., in any part of United States. § 19 : p. 26 : l. 4.

[The references are to sections, pages, and lines]

FACTS (Continued).

Wilful neglect to make full, true, and correct entries in accounts, records, etc., of all, appertaining to carrier's business. Penalty, fine, imprisonment, or both. § 20 : p. 28 : l. 6.

Examiner divulging facts. Penalty. § 20 : p. 28 : l. 18.

FAILS.

Officers, receivers, etc., of carrier who knowingly fails or neglects to obey Order of Commission under Section 15 of Act (Maximum Rate), shall forfeit \$5,000 for each offense, etc., etc. § 16 : p. 21 : l. 41.

If carrier, or neglects to obey any order of Commission except for payment of Money, the Commission or any party injured thereby may petition Court to enforce Order. § 16 : p. 22 : l. 18.

Any person who is a common carrier subject to Act, or any director, officer, receiver, etc., of a corporation, carrier, etc., who shall fail to do any act, etc., required by Act to be done, guilty of misdemeanor, etc. Penalty. § 10 : p. 13 : l. 29. See "Switch;" "Penalties."

FAILURE.

Any of the above who shall aid or abet such, also guilty of misdemeanor. Penalty. § 10 : p. 13 : l. 33.

For, to comply with or violation of any provision of Act, Writ of Mandamus may be issued. § 20 : p. 28 : l. 26.

Wilful, to publish or to strictly observe tariffs is a misdemeanor of corporation. Penalty: fine from \$1,000 to \$20,000. Elkins Act. § 1 : p. 34 : l. 33.

For penalty for officers, directors, etc., see "Penalties."

See "Accounts;" "Entries."

FAIR.

Regulation or practice. § 15 : p. 19 : l. 18.

FAIRS.

Property carried to or from Fairs for exhibition thereat may be given free or reduced rates. § 22 : p. 29 : l. 34.

FALSE.

Billing by carrier. Penalty. § 10 : p. 14 : l. 4.

Same by shipper. Penalty. § 10 : p. 14 : l. 23.

FALSE CLASSIFICATION.

Penalty. § 10 : p. 14 : l. 5, 23.

FALSE ENTRY.

Wilfully making, in accounts, etc. Penalty. § 20 : p. 28 : l. 1.

Representation of contents of package. Penalty. § 10 : p. 14 : l. 24.

FALSE WEIGHING.

Penalty. § 10 : p. 14 : l. 5, 23.

[The references are to sections, pages, and lines]

FAMILIES.

Employees and their, of common carriers subject to Act may be given free passes, etc. § 1 : p. 6 : l. 34.

Interchange of passes for officers, agents, and employees of common carriers, and their permitted. § 1 : p. 7 : l. 13. See § 22 : p. 30 : l. 7.

FARES.

Schedules of all; rates, and charges for transportation must be filed with Commission, printed, and kept open to public inspection. § 6 : p. 9 : l. 42.

Where no joint rate over a through route has been established, the separately established, rates, charges must be filed, printed, and kept open to public inspection. § 6 : p. 10 : l. 6.

No change in, rates, and charges, joint fares, etc., etc., which have been filed and published except after thirty days' notice to Commission and public, etc. § 6 : p. 10 : l. 42.

Commission may allow changes on less than above notice, etc. § 6 : p. 11 : l. 8.

Time when changed, etc., will go into effect shall be shown by printing new schedules or plainly indicated on schedules in force, etc. § 6 : p. 11 : l. 4.

Unlawful discrimination in, rates, charges. Officer of common carrier, etc., guilty of wilfully making unlawful discrimination. Penalty: fine, imprisonment, or both. § 10 : p. 13 : l. 41.

Joint fares on interchangeable mileage tickets. § 22 : p. 30 : l. 22.

Schedules of, etc., to be preserved as Public Records in custody of Secretary of Commission. § 16 : p. 24 : l. 9.

Annual reports of carriers to contain such information as to regulations concerning, etc., as Commission may require. § 20 : p. 26 : l. 31.

FEES.

For witnesses whose depositions are taken, also for Magistrate or other officer taking same. Same as paid for like services in United States Courts. § 12 : p. 17 : l. 30.

Witness. Same as paid in United States Courts. § 18 : p. 25 : l. 31.

FERRIES.

Term "railroad" shall include all, used or operated in connection with any railroad. § 1 : p. 6 : l. 4.

FIGURES.

Contained in annual reports of common carriers to be preserved as public records, etc. § 16 : p. 24 : l. 6.

FILE.

Shall, with Commission, schedules of rates, fares, and charges, print same and keep open to public inspection. § 6 : p. 9 : l. 40.

[The references are to sections, pages, and lines]

FILE (Continued).

If no joint rate over through routes, shall, as above, the separately established rates, fares, and charges applied to through transportation. § 6 : p. 10 : l. 4.

Carriers, etc., shall, with Commission, copies of all contracts, agreements, or arrangements with other common carriers with relation to any traffic affected by Act, to which it may be a party. § 6 : p. 11 : l. 24.

Duty of Attorney-General to, certificate under Expediting Act. § 16 : p. 23 : l. 30. See also "Expedition."

Failure to, annual reports within specified time or as extended by Commission. Penalty: \$100 fine per day while in default. § 20 : p. 27 : l. 9.

Failure to answer specifically questions authorized by provisions of Section 20. Forfeiture, \$100 per day while in default. § 20 : p. 27 : l. 9.

Shall, with Commission, copies of joint tariffs of rates, etc., on which based before issuing joint interchangeable mileage tickets. § 22 : p. 30 : l. 21.

Shall, specifications of amount of free baggage allowed under above tickets. § 22 : p. 30 : l. 23.

Wilful failure to file and publish tariff of rates, etc., a misdemeanor of corporation. Penalty: fine not over \$20,000. § 1 : p. 34 : l. 33.

Carrying passengers or freight for less than published rates on file. Court may restrain on petition. § 3 : p. 37 : l. 5.

Each of parties to joint tariffs shall file such evidence of concurrence as may be required or approved by Commission. § 6 : p. 11 : l. 18.

Commission may file petition to enforce orders. § 16 : p. 22 : l. 21.

Commission may extend time in which to file annual reports. § 20 : p. 26 : l. 45.

Reference to. § 24 : p. 32 : l. 2.

FILED.

Schedules, with Commission to be preserved as public records. § 16 : p. 24 : l. 4.

Unless rates, fares and charges have been, and published according to Act, no carrier, unless otherwise provided by Act, shall engage or participate in transportation of passengers or property. § 6 : p. 1 : l. 34, 38.

Shall charge, etc., no greater, less, nor different compensation than the rates, etc., specified in tariff, and in effect at the time. § 6 : p. 10 : l. 44.

Complaints for damages must be filed with Commission within two years, etc. § 16 : p. 21 : l. 5.

Petition in Court to enforce Order for payment of money shall be filed in Circuit Court within one year from date of Order and not after. § 16 : p. 21 : l. 8.

[The references are to sections, pages, and lines]

FILED (Continued).

Provided, claims accrued prior to passage of Act of June 29, 1906, may be presented within one year. § 16 : p. 21 : l. 9.

Carrying property at less rate than that named in the tariffs published and filed, by way of rebate, etc., or any other device whatever, forbidden. § 1 : p. 35 : l. 2.

Rates, conclusively presumed to be the legal rates. Elkins Act. § 1 : p. 35 : l. 42.

FILING.

Commission may modify requirements of Section 6 as to, etc., of tariffs, either in particular instances or by general Order. § 6 : p. 11 : l. 10.

FINAL.

Decree. Circuit Court. See "Decree."

FINANCIAL.

Annual report of carriers, etc., shall contain complete exhibit of, operations each year. § 20 : p. 26 : l. 28.

FINDINGS.

Of fact. Report of Commission must contain, of fact on which award is made, when damages are awarded. § 14 : p. 18 : l. 31.

Of Commission are prima facie evidence in suits to enforce Order of Commission for payment of money. § 16 : p. 20 : l. 42.

FINE OR FORFEITURE.

See "Penalty."

FIRM.

Carrier not to give undue or unreasonable preference, advantage, etc., to firm, etc., etc. § 3 : p. 8 : l. 38.

Nor subject firm, etc., to, etc. § 3 : p. 8 : l. 40.

Any firm may be complainant. § 13 : p. 17 : l. 40.

May as relator apply for Writ of Mandamus, etc. § 23 : p. 31 : l. 4.

FIVE.

Hearing and, days' notice to Commission before injunction to issue. § 16 : p. 23 : l. 39.

FIX.

Maximum rates, charges, etc. § 15 : p. 19 : l. 16.

Divisions of joint rates. § 15 : p. 19 : l. 37, 42.

Just and fair regulations, etc. § 15 : p. 19 : l. 18.

Reasonable maximum charge for services rendered by owner, etc. § 15 : p. 20 : l. 12.

Reasonable compensation for switch connections. § 1 : p. 8 : l. 14.

Reasonable time for answer. § 13 : p. 18 : l. 6.

Compensation of employees of Commission. § 18 : p. 25 : l. 26.

Maximum charge for instrumentality furnished by owner. § 15 : p. 20 : l. 15.

FLOATING.

Debt. To be shown in detail in annual reports of carriers. § 20 : p. 26 : l. 19.

FORCE.

Giving lower rates than regular rates, etc., established and in force, a misdemeanor. Penalty. § 10 : p. 14 : l. 29.

FOREIGN.

Rebates in interstate or foreign commerce forbidden to carrier and to shipper. Elkins Act. § 1 : p. 34 : l. 40.

FOREIGN COUNTRY.

References to shipments to which Act applies. § 1 : p. 5 : l. 20, 22, 24, 26, 28, 33. Elkins Act. § 1 : p. 36 : l. 7.

Schedules must be printed and kept open to public inspection, etc., on freight carried through, to points in United States. § 6 : p. 10 : l. 29, 34.

Freight from points in United States through, to points in United States on which through rate not made public as required by Act, subject to Customs duties. § 6 : p. 10 : l. 40.

Depositions. How taken in. § 12 : p. 17 : l. 30.

See § 1 : p. 7 : l. 33.

FORFEIT.

See "Penalties."

FORFEITURE.

See "Penalties ;" "Witnesses."

FORM.

Of procedure before Commission. As will best conduce to proper dispatch of business and to ends of justice. § 17 : p. 24 : l. 44.

Of schedules. § 6 : p. 11 : l. 29.

FORMER.

Hearing. Facts arising since, may be considered by Commission in application for rehearing. § 16 a : p. 24 : l. 36.

FORMS.

Of notices. Commission may make general rules as to, and service thereof. § 17 : p. 25 : l. 7.

Of accounts, etc., which carriers are to keep may be prescribed by Commission. § 20 : p. 27 : l. 2.

FORWARDING.

Carriers shall give to connecting lines reasonable, proper, and equal facilities for, etc., of passengers and property. § 3 : p. 9 : l. 3.

FRANCHISES.

Annual report of carriers shall show cost and value of carrier's. § 20 : p. 26 : l. 20.

FRAUD.

Defined to consist in securing by shipper by false billing, etc., transportation at less than regular rates established and in force. Held to be a misdemeanor. Penalty. § 10 : p. 14 : l. 30.

[The references are to sections, pages, and lines]

FREE.

- Passes, transportation, etc. Prohibited. § 1 : p. 6 : l. 30.
 Excepted classes to whom, or reduced rates may be given. § 1 :
 p. 6 : l. 34. § 22 : p. 29 : l. 30.
 Interchange of. § 1 : p. 6 : l. 11. § 22 : p. 29 : l. 6.
 Penalty for violation by giver or receiver. Fine \$100 to \$2,000.
 § 1 : p. 6 : l. 16, 20.
 See "Passes;" "Transportation;" "Employees."
 Baggage. Special privileges may be given as to amount of, which
 may be carried under mileage tickets of one thousand or more
 miles. § 22 : p. 30 : l. 16.

FREIGHT.

- Depots. Embraced within term "railroad" in Act. § 1 : p. 6 :
 l. 10.
 Pooling of freights of different and competing railroads forbidden.
 § 5 : p. 9 : l. 32.
 Classification of. Schedules printed and published shall show, in
 force. § 6 : p. 10 : l. 10.
 Schedules to be posted in, depots. § 6 : p. 10 : l. 22.
 Schedules of freight carried from United States through foreign
 country to place in United States must be printed and kept open
 to public inspection. § 6 : p. 10 : l. 28.
 At every depot, etc., where freight is received for shipment.
 § 6 : p. 10 : l. 31.
 Such freight liable to customs duties if through rate not made public,
 etc. § 6 : p. 10 : l. 35, 41.
 Carriage of, traffic at less than published rates on file may be re-
 strained by Court. Elkins Act. § 3 : p. 37 : l. 4.

FREIGHTS.

- Devices, etc., to prevent carriage of, being continuous, unlawful,
 etc. § 7 : p. 12 : l. 19, 22.
 Such information concerning regulations as to freight, etc., to be
 contained in annual reports as Commission may require. § 20 :
 p. 26 : l. 31.

FRUIT.

- Caretakers of. Free passes, etc., may be given to. § 1 : p. 7 : l. 3.

FULL.

- Willful failure, etc., to make, etc., entries. Penalty. § 20 : p. 28 :
 l. 6.

FUNDED DEBT.

- Shall be shown in annual reports. § 20 : p. 26 : l. 18.

FURNISH.

- Carriers may be ordered by Mandamus to, cars or other facilities
 for transportation. § 23 : p. 31 : l. 14.

[The references are to sections, pages, and lines]

FURNISH (Continued).

Carriers shall, cars for movement of traffic with lateral branch lines of railroad or private side track to best of its ability without discrimination, etc. § 1 : p. 8 : l. 4.

Carriers shall afford all reasonable, proper, and equal facilities to connecting lines. § 3 : p. 9 : l. 1.

Duty to, transportation, etc. § 1 : p. 6 : l. 21.

To construct switch connection if it will furnish sufficient business, etc. § 1 : p. 8 : l. 3.

FURNISHED.

To fix maximum charge for use of instrumentality furnished by owner. § 15 : p. 20 : l. 15.

G**GAS.**

Persons or corporations engaged in transportation of natural or artificial gas by pipe line, etc., not subject to Act. § 1 : p. 5 : l. 6.

GENERAL.

Rules of procedure. § 17 : p. 25 : l. 6.

GENERAL EPIDEMIC.

Relief by free carriage allowed. § 1 : p. 7 : l. 15.

GIVE.

To, rebates, etc., unlawful. Penalty: fine \$1,000 to \$20,000.

Any officer or director, etc., of corporation subject to Act convicted of knowingly giving rebates, subject to imprisonment, or both fine and imprisonment. Elkins Act. § 1 : p. 34 : l. 38. Elkins Act. § 1 : p. 35 : l. 7, 11, 19.

Shall not give free passes, etc., except, etc. § 1 : p. 6 : l. 32.

GOOD FAITH.

Interruption of continuous carriage of freights not unlawful if done in, etc. § 7 : p. 12 : l. 25.

GRANT.

Rebates, etc. To, forbidden. Elkins Act. § 1 : p. 34 : l. 38.

Penalty. § 1 : p. 35 : l. 7, 11, 19.

May, rehearings. § 16 a : p. 24 : l. 23.

GRANTED.

Schedules shall show all privileges or facilities, or allowed, etc. § 6 : p. 10 : l. 13.

GREATER.

No greater or less compensation from one than from another.

§ 2 : p. 8 : l. 25

No greater, less, or different than published rates. § 6 : p. 11 : l. 40.

[The references are to sections, pages, and lines]

GREATER (Continued).

No, nor less compensation for transportation of persons or baggage under joint interchangeable mileage tickets than the published and filed joint tariff. § 22 : p. 30 : l. 35.

GROUND.

Used or necessary in transportation or delivery of property included in term "railroad." § 1 : p. 6 : l. 11.

GUILTY.

See "Penalties."

H**HANDLING.**

Provisions of Act not to apply to, etc., of property wholly within one State and not shipped to or from a foreign country, etc. § 1 : p. 5 : l. 31, 32.

All services in connection with, of property transported included in term "transportation." § 1 : p. 6 : l. 19.

Of property free or at reduced rates for United States, and State or municipal governments and for other persons, classes, etc. § 22 : p. 29 : l. 32.

HAUL.

No greater charge for a shorter than for longer distance for passengers or property of like kind over same line, in same direction, etc., etc. § 4 : p. 9 : l. 10.

Commission may waive this provision in special cases. § 4 : p. 9 : l. 20.

HEARING.

Full, upon determination, upon complaint, of maximum rates, charges, regulations, practices. § 15 : p. 19 : l. 3.

To be, on complaint resulting in award of damages. § 16 : p. 20 : l. 23.

To be such a, as Court determines necessary in petitions to enforce Orders of Commission other than for payment of money. § 16 : p. 22 : l. 33.

Before Court can issue interlocutory order, injunction, or decree suspending or restraining enforcement of Order of Commission a, must be had and five days' notice given to Commission. § 16 : p. 23 : l. 39.

No Commissioner shall participate in any, or proceeding in which he has any pecuniary interest. § 17 : p. 25 : l. 3.

Under Expediting Act to be before three Circuit or two Circuit and one District Judge. Act Feb. 11, 1903. § 1 : p. 39 : l. 1.

Expediting Act to apply to, for preliminary injunction. § 16 : p. 23 : l. 22.

HELD.

Reference to. § 1 : p. 5 : l. 9.

HIGHER.

To collect, etc., no higher rate, etc., than maximum prescribed by Commission. § 15 : p. 19 : l. 24.

HOLDER.

Lawful, of bill of lading can hold initial carrier liable for damage to property taken for through shipment caused by carrier over whose line property may pass. § 20 : p. 28 : l. 43.

Holder of bill of lading not deprived by above section of any remedy under existing law. § 20 : p. 29 : l. 7.

HOMELESS.

Free transportation may be given to. § 1 : p. 6 : l. 40, 41. § 22 : p. 29 : l. 36.

HOMES.

Passes to certain inmates of National. § 1 : p. 6 : l. 43, 45.

HOSPITALS.

Inmates of. Free transportation may be given to. § 1 : p. 6 : l. 37.

Destitute, indigent, and homeless persons when transported by, etc. § 1 : p. 6 : l. 41.

I

ICING.

Term "transportation" includes icing charges. § 1 : p. 6 : l. 18.

Schedules shall state separately all icing charges. § 6 : p. 10 : l. 11.

IMMIGRATION.

Passes, etc., may be given to inspectors. § 1 : p. 7 : l. 6.

IMMUNITY.

Shall extend only to natural persons who give testimony or produce evidence under oath in obedience to a subpoena. Act June 30, 1906. § 1 : p. 34 : l. 1.

See also "Evidence;" "Self-crimination;" "Witness."

IMPAIR.

Vacancy not to, powers of remaining Commissioners. § 11 : p. 15 : l. 37.

IMPLIED.

Term "transportation" includes cars and other vehicles, etc., irrespective of ownership or of any contract, express or. § 1 : p. 6 : l. 15.

IMPORT.

Rates. Whether to be published and filed. While not specifically mentioned, Section 6 states that its provisions shall apply to all traffic, etc., defined in Act. § 6 : p. 10 : l. 23 to 26.

[The references are to sections, pages, and lines]

IMPORTANCE.

Attorney-General to file certificate of public, etc. Act Feb. 11, 1903. § 1 : p. 39 : l. 5.

IMPRISONMENT.

For offenses under Act. See "Penalty."

IMPROVEMENTS.

Annual reports shall show amounts expended for, and how expended. § 20 : p. 26 : l. 23.

INCLUDE.

Reference to. § 1 : p. 6 : l. 2, 3, 7, 13.

INCLUDING.

Reference to. § 1 : p. 6 : l. 45.

INDIGENT.

Passes, etc., may be given to. § 1 : p. 6 : l. 40.

And to Municipal Governments for transportation of, persons. § 22 : p. 29 : l. 42.

INDIRECT.

See "Direct."

INDIRECTLY.

See "Directly."

INDUCE.

Any person or corporation who shall, common carrier subject to Act to unjustly discriminate, by any means, etc. Penalty : fine not over \$5,000, or imprisonment, or both. § 10 : p. 14 : l. 39.

INEFFICIENCY.

Commissioner may be removed by President for, etc. § 11 : p. 15 : l. 28.

INFORMATION.

Annual reports shall contain such, in relation to rates, etc., etc., as Commission may require. § 20 : p. 26 : l. 30.

Penalty for Special Agent or Examiner who divulges, unless directed by Commission or by Court. § 20 : p. 28 : l. 18, 21. See § 21 : p. 29 : l. 23. § 12 : p. 16 : l. 2.

INFORMED.

Reference to. § 12 : p. 15 : l. 44.

INFRACTION.

Penalty for, of Act. Fine not over \$5,000.

If unlawful discrimination in rates, etc., imprisonment also in discretion of Court. § 10 : p. 13 : l. 33.

INITIAL.

Carrier to issue bill of lading, etc. § 20 : p. 28 : l. 44.

Carrier liable for damage to property caused by other carriers on through shipments. § 20 : p. 28 : l. 40.

[The references are to sections, pages, and lines]

INITIAL (Continued).

Carrier, paying damages as above may recover from other carrier.
§ 20 : p. 29 : l. 10.

INJUNCTION.

Mandatory or otherwise to enforce Order of Commission. § 16 :
p. 22 : l. 36.

Writs of injunction. Process. Court to have those powers ordinarily exercised by it, etc. § 16 : p. 22 : l. 41.

Hearings on application for preliminary. Expediting Act, Feb. 11, 1903, to apply. § 16 : p. 23 : l. 23.

None to be granted restraining enforcement of Order of Commission save after Hearing and five days' notice. § 16 : p. 23 : l. 39.

INJURED.

Passes to those, in wrecks. § 1 : p. 7 : l. 9.

INJURY.

To property on through interstate shipments. Initial carrier primarily liable. § 20 : p. 28 : l. 44.

Initial carrier on paying above damages may recover from carrier causing damage. § 20 : p. 29 : l. 13, 15.

Carrier to make reparation for, etc. § 13 : p. 18 : l. 8.

INQUIRE.

Commission may, of own motion, etc. § 15 : p. 18 : l. 21. See also § 12 : p. 15 : l. 41.

INQUIRIES.

May be made against additional parties, etc., interested in or affected by rate, regulation, or practice, etc. Elkins Act. § 2 : p. 36 : l. 41.

INQUIRY.

Commission may, by one or more of Commissioners, prosecute any, etc., in any part of the United States. § 19 : p. 26 : l. 2.

INSPECT.

Special agents to, accounts, etc. § 20 : p. 27 : l. 32.

INSPECTED.

Schedules, etc., to be posted in two public and conspicuous places in every depot, station, etc., in such form as to be accessible to public and can conveniently be inspected. § 6 : p. 10 : l. 24.

INSPECTION.

Accounts subject to, of Commission. § 20 : p. 27 : l. 30, 38.

Schedules of rates, etc., to be printed and kept open to public. § 6 : p. 9 : l. 42.

Separately established rates, etc., applied to through transportation, where no joint rate established must be filed, printed, and kept open to public. § 6 : p. 10 : l. 5.

Commission may prescribe form of schedules which must be kept open to public. § 6 : p. 11 : l. 31.

[The references are to sections, pages, and lines]

INSPECTION (Continued).

Of accounts, etc., by special agents or examiners appointed by Commission. § 20 : p. 27 : l. 32, 41.

Schedules of through rates, etc., on freight carried through foreign country to any place in United States shall be printed and kept open to public. § 6 : p. 10 : l. 31.

INSPECTORS.

Passes may be issued to Post Office, Customs, and Immigration. § 1 : p. 7 : l. 6.

INSTALL.

Shipper may complain to Commission when carrier, etc., fails to, etc., switch or connection. § 1 : p. 8 : l. 8.

INSTITUTIONS.

Passes, etc., to inmates of certain. § 1 : p. 6 : l. 37.

INSTRUMENTALITIES.

Term "transportation" shall include all, etc., of shipment. § 1 : p. 6 : l. 14.

INSTRUMENTALITY.

Commission may determine maximum charge to be paid by carrier for, furnished by owner of property transported. § 15 : p. 20 : l. 9.

INTENDED.

Reference to. § 1 : p. 7 : l. 34.

INTENT.

No breaking of bulk, etc., shall prevent carriage from being and being treated as one continuous shipment unless in good faith for some necessary purpose without, to interrupt such continuous carriage or to evade Act. § 7 : p. 12 : l. 26.

INTERCHANGE.

Carriers, etc., to afford all reasonable, proper, and equal facilities for interchange of traffic, etc. § 3 : p. 9 : l. 12.

Of passes, etc. § 1 : p. 7 : l. 11. See § 22 : p. 30 : l. 6.

INTERCHANGEABLE.

Joint, five-thousand-mile tickets may be issued with special privileges as to amount of free baggage under tickets of one thousand or more miles.

Before issuing,

Copies of joint tariffs, etc., on which based to be

Filed with Commission,

As is provided in Section 6 as to other joint rates.

Also specifications as to amount of free baggage allowed.

All provisions of Section 6 as to joint rates, etc.,

Shall be observed by carriers

And enforced by Commission.

Unlawful to demand, etc.,

[The references are to sections, pages, and lines]

INTERCHANGEABLE (Continued).

Greater or less compensation

For transportation of persons or baggage

Than that required by rate, etc.,

Specified in copies filed with Commission

In force at time.

Provisions of Section 10 shall apply to any violation of requirements of this proviso. § 22 : p. 30 : l. 12.

INTEREST.

Annual reports shall show, paid on funded and floating debt. § 20 : p. 26 : l. 19.

Pecuniary, disqualifies Commissioner from participating in Hearing or proceeding. § 17 : p. 25 : l. 4. See § 1 : p. 7 : l. 34.

INTERESTED.

Person before whom a deposition is taken must not be, in event of proceeding or investigation. § 12 : p. 17 : l. 13.

At request of either party, proceedings of Commission shall be public. § 17 : p. 25 : l. 14.

All persons, in or affected by rate, etc., under consideration may be made parties. Elkins Act. § 2 : p. 36 : l. 40.

See § 11 : p. 15 : l. 34. § 1 : p. 7 : l. 8.

INTERFERE.

Remedy by Mandamus to force carrier to move traffic, to furnish cars or other facilities, etc., not to, etc., with other remedies provided by Act, etc. § 23 : p. 31 : l. 25.

INTERLOCUTORY.

No, order or decree, etc., suspending, etc., enforcement of Order of Commission shall be granted except on Hearing after not less than five days' notice to Commission. § 16 : p. 23 : l. 39.

Appeal from, order or decree as above, etc., only United States Supreme Court. § 16 : p. 23 : l. 40.

Appeal must be taken within thirty days from entry of Order or decree, etc. § 16 : p. 23 : l. 45.

INTERRUPT.

Without intent to avoid or unnecessarily, continuous carriage. If not without, etc., carriage shall be and be treated as continuous, etc. § 7 : p. 12 : l. 27.

INTERRUPTION.

No, made by carrier, etc., shall prevent freight being and being treated as continuous unless in good faith, etc. § 7 : p. 12 : l. 21, 25.

INTERSTATE STATE.

Act not to apply to transportation of persons or property, or to receiving, delivering, storage, or handling of property wholly within one State and not shipped to or from a foreign country, etc. § 1 : p. 5 : l. 29.

[The references are to sections, pages, and lines]

INTERSTATE COMMERCE.

References to. § 20 : p. 26 : l. 10. Elkins Act. § 2 : p. 36 : l. 35.

INTERSTATE COMMERCE COMMISSION.

See "Commission."

INTERSTATE FREE PASS.

Ticket, etc. § 1 : p. 7 : l. 22.

INTERSTATE OR FOREIGN COMMERCE.

Misdemeanor to give or receive rebate, etc., in respect to property in. Elkins Act. § 1 : p. 34 : l. 40.

INTERSTATE TRAFFIC.

References to. § 1 : p. 7 : l. 42. § 23 : p. 31 : l. 7.

INTERSTATE TRANSPORTATION.

Reference to. Elkins Act. § 1 : p. 36 : l. 2.

INVESTIGATE.

Duty of Commission to, complaints, etc. § 13 : p. 18 : l. 14.

INVESTIGATING.

If any reasonable ground for, Commission shall investigate matters complained of. § 13 : p. 18 : l. 13.

INVESTIGATION.

Testimony may be taken by deposition in any proceeding or. § 12 : p. 16 : l. 45.

Person before whom deposition is taken must not be interested in event of proceeding or. § 12 : p. 17 : l. 4.

Whenever, made Commission shall report in writing stating conclusions and decision, Order, etc. § 14 : p. 18 : l. 26.

Expenses of making, etc., paid on itemized vouchers approved by Chairman. § 18 : p. 25 : l. 33.

Of special cases for relief from long and short haul clause. § 4 : p. 9 : l. 22. See § 1 : p. 7 : l. 8.

INVESTIGATIONS.

All reports of, by Commission shall be entered of record and copy furnished to parties. § 14 : p. 18 : l. 32.

Copies of schedules, tariffs of rates, etc., filed with Commission shall be received as prima facie evidence, etc., for purpose of investigations by Commission and in all judicial proceedings. § 16 : p. 24 : l. 10.

May be had as to all persons interested in or affected by rate, regulation, etc., who may be made additional parties. Elkins Act. § 2 : p. 36 : l. 41.

INVOKE.

Commission may, aid of Court to compel testimony, etc. § 12 : p. 16 : l. 26.

IRRESPECTIVE.

Reference to. § 1 : p. 6 : l. 15.

ISSUANCE.

Of joint interchangeable five-thousand-mile tickets. Conditions of issuance. § 22 : p. 30 : l. 14, 16. See "Interchangeable."

ISSUE.

Shall not, free passes, etc. § 1 : p. 6 : l. 32.

Depositions may be taken at instance of a party after cause or proceeding is at, on Petition and Answer. Commission may order depositions taken at any stage. § 12 : p. 17 : l. 1, 3.

In Petitions to enforce obedience to Orders of Commission Courts may ascertain the facts at, through such means as it shall deem necessary. § 16 : p. 22 : l. 31.

Initial carrier to, bill of lading, etc., on interstate shipments. § 20 : p. 28 : l. 44.

Commission may, subpoenas. § 17 : p. 25 : l. 16, 17.

ISSUING.

Reference to. § 20 : p. 29 : l. 10.

J**JOINED.**

All parties in whose favor award for damages made in a single Order may be joined as plaintiffs. All carriers parties to such Order may be joined as defendants. Petition to enforce Award for damages. § 16 : p. 21 : l. 14, 15.

JOINT.

Joint rates on through routes. Commission may prescribe maximum charges. § 15 : p. 19 : l. 42. See § 6 : p. 10 : l. 2.

Charges, fares, rates. See "Rates."

When carriers fail to agree upon apportionment of, rates, etc. Commission may prescribe just and reasonable proportion to be received by each, etc. § 15 : p. 19 : l. 38.

Division of, rates on through routes. Commission may prescribe. § 15 : p. 19 : l. 43.

Interchangeable five-thousand-mile tickets, with special privileges allowed. Conditions of issuance. § 22 : p. 30 : l. 13. See "Interchangeable."

Charges, fares, and rates. Provisions of Section 6 as to, to apply to joint interchangeable five-thousand-mile mileage tickets. § 22 : p. 30 : l. 26.

JOINT AND SEVERAL.

Liability of carrier, etc., for damages resulting from unjust discrimination. In an action on the case. § 10 : p. 15 : l. 10.

[The references are to sections, pages, and lines]

JOINT DEFENDANTS.

See "Joined." § 16 : p. 21 : l. 17, 19.

JOINT PLAINTIFFS.

See "Joined." § 16 : p. 21 : l. 17.

JOINT RESOLUTION OF JUNE 30, 1906.

Extends time of taking effect of Act of June 29, 1906, to sixty days after approval. § 1 : p. 32 : l. 19.

JOINT SUIT.

Reference to. § 16 : p. 21 : l. 24.

JOINT TARIFF.

Names of carriers parties thereto shall be specified in. § 6 : p. 11 : l. 15.

Each of parties shall file with Commission such evidence of concurrence therein or acceptance thereof as may be required or approved by Commission. § 6 : p. 11 : l. 18. See § 22 : p. 30 : l. 20, 44.

JUDGMENT.

In joint suits on Awards of damages made by Commission, recovery may be by judgment in favor of any one of plaintiffs against defendant found to be liable to such plaintiff. § 16 : p. 21 : l. 24.

Commission may reverse, change, or modify original decision, Order, etc., if after rehearing, in its judgment, the decision, Order, etc., is in any respect unjust or unwarranted. § 16 a : p. 24 : l. 34.

Initial carrier on through shipments may recover amount it may have to pay for damage, etc., caused by common carrier to which the property was delivered or over whose lines it may pass, as evidenced by any receipt, judgment, or transcript thereof. § 20 : p. 29 : l. 16.

JUDICIAL.

Copies of schedules and tariffs of rates, etc., etc., filed with Commission, and statistics, etc., contained in annual reports to be preserved as public records, etc., and shall be received as prima facie evidence, etc., for purpose of investigations by Commission and in all judicial proceedings, etc. § 16 : p. 24 : l. 12.

District. Violations of Section 1 of Elkins Act shall be prosecuted, etc., within District in which violation committed or through which the transportation may have been conducted. Elkins Act. § 1 : p. 35 : l. 21.

JUDICIALLY.

Commission shall have official seal which shall be, noticed. § 17 : p. 25 : l. 15.

JURISDICTION.

For violation of anti-pass provision of Section 1, same jurisdiction as for offenses under Elkins Act of Feb. 19, 1903. § 1 : p. 7 : l. 23.

[The references are to sections, pages, and lines]

JURISDICTION (Continued).

- Suits by persons claiming damages against a common carrier subject to Act, may be brought in any District or Circuit Court of United States of competent jurisdiction. § 9 : p. 13 : l. 2.
- Corporation or person may be proceeded against for violating Act in any District Court of United States, etc. § 10 : p. 13 : l. 36.
- False billing, etc., by carrier or shipper. Any United States Court of competent jurisdiction. § 10 : p. 14 : l. 12, 32.
- Inducing carrier, etc., to unlawfully discriminate, any Court of United States of competent jurisdiction. § 10 : p. 15 : l. 4.
- Carrier as well as person, corporation, etc., guilty of unlawful discrimination may be sued by any consignor or consignee discriminated against in action on case in any Court of United States of competent jurisdiction. § 10 : p. 15 : l. 13.
- District Attorneys under direction of Attorney-General to prosecute all necessary proceedings for enforcement of or violation of Act in the proper Court. § 12 : p. 16 : l. 9.
- Petition to enforce payment of Order for payment of money. United States Circuit Court for District in which petitioner resides. § 16 : p. 20 : l. 34.
- To enjoin, set aside, etc., Order or requirement of Commission, United States Circuit Court in which carrier has principal operating office. § 16 : p. 23 : l. 17.
- Writs of Mandamus to cause traffic to be moved on equal terms and to furnish cars or other facilities, etc. United States District and Circuit Courts. § 23 : p. 31 : l. 12.

JUST AND REASONABLE.

- Rates applicable to through routes.
- Duty of carrier to establish through routes and just and reasonable rates applicable thereto. § 1 : p. 6 : l. 22.
- All charges for services, etc., in transportation of passengers or property shall be. § 1 : p. 6 : l. 24.
- Commission, after full hearing upon complaint made as provided in Section 13, may determine and prescribe maximum, rate or rates, charge or charges, etc. § 15 : p. 19 : l. 15.
- Charges and allowances for services rendered or instrumentalities furnished by owner, to be paid by carrier. Shall be no more than is. § 15 : p. 20 : l. 10. See "Switch."
- Commission may after hearing on complaint determine reasonable maximum charge, etc. § 15 : p. 20 : l. 11.
- Commission may prescribe, after hearing, proportion of joint rate to be received by each carrier, when carriers fail to agree. § 15 : p. 19 : l. 38.

JUST, FAIR, AND REASONABLE.

- Commission may prescribe what regulation or practice in respect to such transportation is. § 15 : p. 19 : l. 18.

[The references are to sections, pages, and lines]

JUSTICE.

Commission may conduct its proceedings as will best conduce to proper dispatch of business and to ends of. § 17 : p. 24 : l. 43.

JUSTIFICATION.

Commission, on complaint, shall hear and investigate as to, etc., for switch or other connection asked for. § 1 : p. 8 : l. 13.

JUSTIFY.

Reference to. . § 2 : p. 8 : l. 3.

K**KEEP.**

Reference to. § 12 : p. 15 : l. 44.

KEEPING.

Reference to. § 20 : p. 26 : l. 38.

KNOWINGLY.

Offering or receiving rebates, etc. Penalty. § 1 : p. 35 : l. 7, 10, 20.
Additional penalty on shipper. Forfeiture to United States of three times amount of rebate, etc., or three times value of other consideration received. Elkins Act. § 1 : p. 36 : l. 15.

Carrier or officer, receiver, etc., who knowingly fails or neglects to obey Order under Section 15 shall forfeit \$5,000 for each offense, etc. § 16 : p. 21 : l. 41.

KNOWINGLY AND WILFULLY.

False billing, etc. Penalty. § 10 : p. 14 : l. 6, 22.

L**LADING.**

Bill of. Initial carrier to issue, etc. § 20 : p. 28 : l. 44.

LATERAL.

Carrier, etc., shall, on application of any, branch line of railroad, or of any shipper, etc., construct, maintain, and operate upon reasonable terms a switch connection with such railroad, or private side track which may be constructed to connect with its railroad, where such connection is reasonably practicable, can be put in with safety and will furnish sufficient business to justify construction and maintenance. Shall also furnish cars for movement of such traffic to best of ability, without discrimination. If carrier shall fail to install and operate any such switch or connection, Commission on complaint shall hear and investigate, and shall determine safety, practicability, and justification, and

[The references are to sections, pages, and lines]

LATERAL (Continued).

reasonable compensation therefor. May make Order to be enforced as other Orders, excepting Orders for payment of money. § 1 : p. 7 : l. 41. § 1 : p. 8 : l. 1 to 20.

LAW.

Discrimination forbidden by, to be restrained by Court. Elkins Act. § 3 : p. 37 : l. 1.

Attorneys at law. Passes to. § 1 : p. 6 : l. 35. § 22 : p. 30 : l. 7.

LAWFUL.

Holder of bill of lading. On shipments from point in one State to point in another State, can hold initial carrier for damage, etc., to property caused by it or by any carrier, etc., to which property is delivered or over whose line it may pass. Carrier, etc., cannot exempt itself from this liability by contract, receipt, rule, or regulation.

This section not to deprive holder of bill of lading of any remedy or right of action under existing law. § 20 : p. 28 : l. 40. § 20 : p. 29 : l. 7.

LAWFUL REQUIREMENT.

Any person neglecting or refusing to attend and testify or produce books, papers, etc., if in his power to do so, in obedience to, of Commission, guilty of offense. Penalty : fine \$100 to \$5,000, or by imprisonment not more than one year, or both. Act Feb. 11, 1893. § 1 : p. 33 : l. 19.

LAWS.

All, in conflict with Elkins law repealed. Elkins Law. § 4 : p. 38 : l. 19.

Such repeal not to affect causes now pending, etc. Elkins Law. § 4 : p. 38 : l. 21.

LEASE.

All road in use by any corporation operating a railroad, whether owned or operated under contract, agreement, or, included in term "railroad" as used in Act. § 1 : p. 6 : l. 7.

LEGAL.

Rate filed with Commission or published under Act or such rate participated in, shall be conclusively presumed, in any prosecution under Elkins Act, to be the, rate as against such carrier. Elkins Act. § 1 : p. 35 : l. 42.

Rate. Any departure or offer to depart from, an offense under Section 1, Elkins Act. Elkins Act. § 1 : p. 35 : l. 43.

Wilful failure to observe such tariffs, a misdemeanor. Penalty. Corporation to pay fine \$1,000 to \$20,000. Elkins Act. § 1 : p. 35 : l. 33.

Passes to witness attending, investigation in which carrier is interested. § 1 : p. 7 : l. 8.

[The references are to sections, pages, and lines]

LEGISLATION.

Annual report of Commission to contain such recommendations as to additional, as Commission may deem necessary. § 21 : p. 29 : l. 26.

LESS.

Carrier shall not charge greater, less, or different compensation for transportation, etc. § 6 : p. 11 : l. 40.

Charging greater or less compensation on transportation, etc., held to be unjust discrimination. § 2 : p. 8 : l. 25.

Unlawful to demand, collect, etc., on joint interchangeable mileage tickets, greater or less compensation for persons or baggage than the rates, etc., filed with Commission. § 22 : p. 30 : l. 35. See "Compensation."

Carrier knowingly by false billing, etc., or by any other device or means, giving transportation at less than regular rates established and in force, etc., guilty of misdemeanor. Penalty: fine not over \$5,000 or imprisonment not over two years, or both, in discretion of Court. § 10 : p. 14 : l. 9.

Shipper by false billing, etc., obtaining transportation at less than regular established rates in force, etc. Same penalty. § 10 : p. 14 : l. 28.

LESSEE.

Of corporation common carrier violating Act. Misdemeanor. Penalty. Same as carrier. § 10 : p. 13 : l. 22.

Of carrier. Same penalty for refusal to obey Order of Commission under Section 15 as upon carrier. § 16 : p. 21 : l. 40.

Misdemeanor of, also of corporation common carrier, subject to Act. Elkins Act. § 1 : p. 34 : l. 22.

Of corporation subject to Act, if a person, etc., convicted of giving rebates, concessions, or discriminations, etc., liable to imprisonment for not over two years in addition. Elkins Act. § 1 : p. 35 : l. 15.

LIABILITY.

Of common carrier, etc., for damages to person injured by violation of Act. § 8 : p. 12 : l. 29.

Of carrier, as above, either on complaint before Commission or in suit in any District or Circuit Court of United States. § 9 : p. 12 : l. 43, 44.

Person complaining must elect which remedy will pursue. § 9 : p. 13 : l. 5.

Joint or several. Person, etc., securing unjust discrimination liable jointly or severally with carrier in action on case. § 10 : p. 15 : l. 10.

Reparation will relieve carrier for particular violation of law complained of. § 13 : p. 18 : l. 10.

[The references are to sections, pages, and lines]

LIABILITY (Continued).

Of receiving carrier for damage to through shipments caused by other carriers, etc. § 20 : p. 28 : l. 43.

Cannot exempt itself from this liability. § 20 : p. 29 : l. 6.

LIABLE.

Reference to. § 20 : p. 28 : l. 44.

LIKE.

Unjust discrimination forbidden in transportation of like kind of traffic, etc. § 2 : p. 8 : l. 31.

In, manner. § 1 : p. 5 : l. 24.

LIMIT.

Commission may impose in Order a time, for payment of money by carrier. § 16 : p. 20 : l. 32.

LIMITATION.

Of actions, etc. Complaints for recovery of damages to be filed with Commission within two years from time cause of action accrues and not after. § 16 : p. 21 : l. 5.

Petitions to enforce Orders of Commission for payment of money must be filed in Circuit Court within one year from date of Order and not after. § 16 : p. 21 : l. 8.

Claims accrued prior to passage of this Act may be presented within one year. § 16 : p. 21 : l. 10.

Suits by Attorney-General to recover forfeiture of three times amount of rebate, etc., received by a shipper, etc., may include all rebates, etc., received for six years prior to commencement of action. Elkins Act. § 1 : p. 36 : l. 29.

Suits to enjoin, set aside, etc., Order or requirement of Commission may be brought at any time after Order is promulgated. § 16 : p. 23 : l. 11.

LINE.

Rates in force on, of transportation. Giving or receiving rates less than. Misdemeanor. § 10 : p. 14 : l. 9, 29.

Damage caused on through shipments from State to State by carrier over whose, property may pass. Initial carrier liable for. § 20 : p. 29 : l. 3.

Carrier paying can recover. § 20 : p. 29 : l. 13.

Lateral branch. Switch connection. § 1 : p. 7 : l. 45.

LINEMEN.

Passes, etc., may be given to, of telegraph and telephone companies. § 1 : p. 7 : l. 4.

LINES.

Pipe, etc. Persons, etc., transmitting oil, etc., subject to Act. § 1 : p. 5 : l. 7, 8.

Schedules to show rates, etc., between points on own route and on route of any other carrier by pipe lines, etc. § 6 : p. 10 : l. 1.

[The references are to sections, pages, and lines]

LITIGATION.

No pending, affected by Act. § 22 : p. 30 : l. 11.

LIVESTOCK.

Passes, etc., may be given to caretakers of. § 1 : p. 7 : l. 2.

LOCALITY.

Undue or unreasonable preference, etc., to any, forbidden. § 3 : p. 8 : l. 38.

To subject any, to undue or unreasonable preference, etc., forbidden. § 3 : p. 8 : l. 41.

LONG.

Long and short haul clause. Charging greater compensation for shorter than for longer distance over same line, etc., forbidden. § 4 : p. 9 : l. 20.

LOSS.

Annual report of carrier to show balances of profit and. § 20 : p. 26 : l. 27.

Initial carrier on interstate through shipments liable for loss, etc., on line of other carriers, etc. § 20 : p. 28 : l. 40. § 20 : p. 29 : l. 13, 15.

M**MAGISTRATE.**

May take depositions. § 12 : p. 17 : l. 28.

MAILING.

Orders of Commission to be served by, etc. § 16 : p. 21 : l. 27.

MAINTAIN.

Carrier shall, switch connections, etc. § 1 : p. 7 : l. 43.

MAINTENANCE.

Where, of switch connection, etc., justified, carrier shall construct, maintain, and operate, etc. § 1 : p. 8 : l. 4.

MALFEASANCE.

Commissioners may be removed for, in office, etc. § 11 : p. 15 : l. 29.

MANAGEMENT.

Common control, or arrangement for a continuous carriage, etc. § 1 : p. 5 : l. 14. See § 12 : p. 15 : l. 42.

MANAGERS.

Passes, etc., may be given to Boards of, certain Homes. § 1 : p. 7 : l. 2.

MANDAMUS.

In petitions in Court to enforce Orders of Commission other than for payment of money, Court shall have, in enforcement of process, mandatory or otherwise, those powers ordinarily exercised in compelling obedience to Writs of Injunction and Mandamus. § 16 : p. 22 : l. 43.

Writ may be issued by District and Circuit Court commanding carrier to move traffic upon equal terms, rates, etc., for all,

[The references are to sections, pages, and lines]

MANDAMUS (Continued).

and to furnish cars or other facilities of transportation, etc. § 23 : p. 31 : l. 1.

Writ may issue as above upon proper terms as to security, etc., although question of fact as to proper compensation is raised by pleadings, etc. § 23 : p. 31 : l. 18.

Remedy above shall be cumulative and not be held to exclude or interfere with other remedies provided by this Act or Act to which this is supplement. § 23 : p. 31 : l. 23.

Writ may be issued by United States District and Circuit Courts, on application of Attorney-General, at request of Commission, for failure to comply with or violation of Act and amendments, etc. § 20 : p. 28 : l. 26.

MANDATORY.

When carrier is in disobedience of Order of Commission, other than for payment of money, if Order regularly made and duly served, Court shall enforce obedience by injunction or other proper process mandatory or otherwise. § 16 : p. 22 : l. 37.

MANNER.

Commission may prescribe, of keeping accounts. § 20 : p. 26 : l. 38.

Of making annual reports. § 20 : p. 26 : l. 11.

Of conducting business may be inquired into. § 12 : p. 15 : l. 44.

In like. Reference to. § 1 : p. 5 : l. 24.

MANUFACTURED.

Reference to. § 1 : p. 7 : l. 34.

MANUFACTURING SOCIETY.

May complain to Commission of violations, etc., of Act. § 13 : p. 17 : l. 40.

MATTER.

In controversy. Commission may require attendance, testimony, and production of books, etc., on all subjects relating to, etc., in controversy. Elkins Act. § 3 : p. 37 : l. 41.

Of fact. Reference to. § 19 : p. 26 : l. 4.

MAXIMUM.

Commission after full hearing, on complaint made as provided in Section 13, may determine and prescribe maximum just and reasonable rate or rates, charge or charges, etc. § 15 : p. 19 : l. 15.

Carrier shall not publish, demand, or collect any rate or charge in excess of maximum rate or charge so prescribed. § 15 : p. 19 : l. 24.

Commission may, after hearing, on a complaint, establish maximum joint rates on through routes, etc., etc. § 15 : p. 19 : l. 42.

May determine, after hearing, on complaint, maximum reasonable charge to be paid by carrier for services, instrumentalities, etc., furnished by owner of property transported, etc. § 15 : p. 20 : l. 13.

[The references are to sections, pages, and lines]

MAYOR.

Of a City. Depositions may be taken before. § 12 : p. 17 : l. 10.

MEANING.

Oil carriers by pipe lines, etc., to be common carriers within meaning, etc., of Act. § 1 : p. 5 : l. 10.

MEANS OR DEVICE.

Wilfully falsifying record, etc., kept by carrier by destruction, etc., failure to make full, true, etc., entries, etc., or by any other, held to be a misdemeanor. Penalty. § 20 : p. 28 : l. 4.

MEANS OR DEVICES.

Preventing carriage being continuous, by change of time schedule, etc., or by other, prohibited. § 7 : p. 12 : l. 18.

Carrier giving, etc., transportation at less than regular established rates by false billing, etc., or by any other, a misdemeanor. Penalty. § 10 : p. 14 : l. 6.

Same as to shipper, etc. § 10 : p. 14 : l. 25.

MEMORANDA.

Commission to have access to, etc. § 20 : p. 27 : l. 28.

Special agents, etc., to examine. § 20 : p. 27 : l. 30.

Forms of, to be kept by carriers, etc., may be prescribed by Commission. § 20 : p. 27 : l. 23.

Applies to, of movement of traffic as well as of receipts and expenditures of money. § 20 : p. 27 : l. 25.

Unlawful to keep any other, than prescribed or approved by Commission. § 20 : p. 27 : l. 29. § 20 : p. 28 : l. 9.

Penalty for failure or refusal to keep, etc., forfeiture \$500 per day, etc. § 20 : p. 27 : l. 43.

Penalty for keeping any other, etc., than prescribed or approved by Commission. A misdemeanor. Same penalty as false entry. § 20 : p. 18 : l. 9.

False entry in, kept by carrier a misdemeanor. Penalty: fine \$1,000 to \$5,000, or imprisonment not less than one nor more than three years, or both. § 20 : p. 28 : l. 13.

MEN'S.

Passes, etc., to railroad Young, Christian Associations' travelling secretaries. § 1 : p. 6 : l. 36.

MERCANTILE SOCIETY.

May complain of violation of Act, etc. § 13 : p. 17 : l. 40.

MILEAGE.

Witnesses before Commission to be paid same fees and, as in United States Courts. § 18 : p. 25 : l. 31.

MILEAGE TICKETS.

Authorized. § 22 : p. 29 : l. 38.

Joint interchangeable, of five thousand miles, special privileges as to amount of free baggage to such tickets for one thousand or more miles. § 22 : p. 30 : l. 16.

Conditions of issuance. § 22 : p. 30 : l. 16.

Provisions of Section 6 to apply to joint. § 22 : p. 30 : l. 29.

MILITARY.

Traffic. To be expedited and facilitated by carriers in time of war

Preference over all other traffic. § 6 : p. 12 : l. 8.

MINED.

Reference to. § 1 : p. 7 : l. 34.

MINISTERS.

Free passes, etc., may be given to, of religion. § 1 : p. 6 : l. 36.

Reduced rates to. § 22 : p. 29 : l. 41.

MISDEMEANOR.

For penalty imposed, see "Penalties."

Common carrier violating anti-pass provisions of Section 1. § 1 : p. 7 : l. 17.

Wilful omission, failure to observe, violation of Act, etc. § 10 : p. 13 : l. 33.

Where misdemeanor consists in unlawful discrimination in rates, etc. § 10 : p. 13 : l. 43.

False billing, etc., by carrier. § 10 : p. 14 : l. 11.

Same by shipper, etc. § 10 : p. 14 : l. 30.

Shipper inducing carrier to discriminate unjustly. § 11 : p. 15 : l. 29.

Fraud defined as a. § 10 : p. 14 : l. 30.

Wilfully keeping false entries, etc. § 20 : p. 28 : l. 1.

Wilfully destroying or mutilating records, etc. § 20 : p. 28 : l. 4.

Wilful neglect to make full, true, and correct entries, etc. § 20 : p. 28 : l. 6.

Keeping any other accounts, etc., than prescribed or approved by Commission. § 20 : p. 28 : l. 9.

Anything done or omitted, etc., by a corporation common carrier subject to Act and Amendments which if done, etc., by any director, officer, receiver, trustee, etc., etc., would constitute a, under Act and Amendments or under this Act shall also be held to be a, committed by such corporation, etc., etc. Penalty. Elkins Act. § 1 : p. 34 : l. 18.

Wilful failure to file and publish tariffs, etc. Same. § 1 : p. 34 : l. 31. Penalty. § 1 : p. 34 : l. 34.

Wilful failure to strictly observe such tariffs until changed according to law. Penalty. Same. § 1 : p. 34 : l. 32.

[The references are to sections, pages, and lines]

MISDEMEANOR (Continued).

To knowingly offer, grant, or give a rebate, concession, or discrimination, etc. Penalty. Same. § 1 : p. 34 : l. 38. § 1 : p. 35 : l. 7.

To knowingly solicit, accept, or receive same. Penalty. Same. § 1 : p. 34 : l. 38. § 1 : p. 35 : l. 7.

Additional penalty of imprisonment for any officer, director, etc., of corporation subject to Act for violation above. Same. § 1 : p. 35 : l. 12.

Any departure from legal rate as defined to be deemed an offense under this section. Same. § 1 : p. 35 : l. 44.

MODIFIED.

Unless, by Commission all Orders, except for money payment, to take effect within such reasonable time, etc. § 15 : p. 19 : l. 31.

MODIFY.

Commission may, its Orders, etc. § 15 : p. 19 : l. 31. § 16 : p. 21 : l. 33. § 16 a : p. 24 : l. 39.

May, requirements as to publishing, filing rates and changes of rates, etc. § 1 : p. 11 : l. 8.

Court may, orders, etc., of Commission. § 15 : p. 19 : l. 32. § 16 : p. 23 : l. 5, 17.

MONEY.

When carrier does not comply with Order for payment of, person for whose benefit Order made may Petition Court to enforce Order. § 16 : p. 20 : l. 31.

MONEYS.

Commission may prescribe forms of accounts, etc., of receipts and expenditures of. § 20 : p. 27 : l. 27.

MONTHLY.

Commission may require carrier to file, or special reports of earnings and expenditures. § 20 : p. 27 : l. 11.

MOTION.

Commission may institute any inquiry on its own, in same manner and to same effect as though complaint had been made. § 13 : p. 18 : l. 20.

MOVE.

Carrier may be ordered to, and transport traffic, etc., by Writ of Mandamus. § 23 : p. 31 : l. 13. § 23 : p. 31 : l. 7.

MOVEMENT.

Carrier shall furnish cars for, of such traffic, etc. § 1 : p. 3 : l. 5.

Of traffic. Commission may prescribe form of accounts, etc., of movement of traffic, etc. § 20 : p. 27 : l. 26.

MUNICIPAL.

Any, organization may complain to Commission of violation, etc., of Act. § 13 : p. 17 : l. 42.

[The references are to sections, pages, and lines]

MUNICIPAL GOVERNMENTS.

Property of, may be carried free or at reduced rates. § 22 : p. 29
l. 33.

Reduced rates may be given to, for transportation of indigent persons. § 22 : p. 29 : l. 41.

MUTILATE.

Penalty for person who shall wilfully, records, etc. § 20 : p. 28 : l. 4.

N

NAMES.

Commission to transmit to Congress names and compensation of employees. § 21 : p. 29 : l. 28.

NATIONAL HOMES.

Free passes, etc., may be given inmates of, for disabled volunteer soldier, etc. § 1 : p. 6 : l. 43. § 22 : p. 29 : l. 43.

NATURAL.

Immunity to extend only to a, person, etc. Act June 30, 1906.
§ 1 : p. 34 : l. 12.

NATURAL GAS, OR ARTIFICIAL.

Persons and corporations engaged in transportation of, by pipe lines, etc., not subject to Act. § 1 : p. 5 : l. 6.

NECESSARY.

References to. § 1 : p. 6 : l. 9, 11, 42. § 1 : p. 7 : l. 2, 38. § 7 :
p. 12 : l. 26. § 15 : p. 20 : l. 1.

NEGLECT.

Commissioners may be removed for. § 11 : p. 15 : l. 28.

Wilful, of carrier to make true and full entries, etc. Penalty.
§ 20 : p. 28 : l. 6.

NEGLECTS.

Penalty for carrier who knowingly fails or, to obey Order of Commission made under Section 15 of Act. § 16 : p. 21 : l. 41.

NEW.

Two, Commissioners to be appointed. § 24 : p. 31 : l. 29.

NEWSBOYS.

Passes may be given to, on trains. § 1 : p. 7 : l. 7.

NOT.

Commissioners shall not engage in any other business. § 11 : p. 15 :
l. 36.

NOTARY PUBLIC.

Depositions may be taken before. § 12 : p. 17 : l. 12.

[The references are to sections, pages, and lines]

NOTICE.

Thirty days', to Commission and public of change in rates, etc.
§ 6 : p. 11 : l. 1.

Commission may allow changes in rates, etc., upon less than thirty days' notice. § 6 : p. 11 : l. 10.

Commission may suspend or modify its Orders upon such, and in such manner as it shall deem proper. § 16 : p. 21 : l. 34.

Five days', to Commission required, etc., before injunction, etc., suspending or restraining the enforcement of Order of Commission, can be issued by Court. § 16 : p. 23 : l. 40.

Court, on petition of Commission may enforce observance of the published tariffs or direct, etc., discontinuance of discrimination, etc., upon such, as Court shall direct. Elkins Act. § 3 : p. 37 : l. 14.

NOTICED.

Seal of Commission to be judicially. § 17 : p. 25 : l. 15.

NOTICES.

Commission may make or amend forms of, and service thereof.
§ 17 : p. 25 : l. 7.

NURSES.

Passes, etc., may be given to, attending persons injured in wrecks.
§ 1 : p. 7 : l. 9.

O**OATH.**

Annual reports of carriers shall be under. § 20 : p. 26 : l. 43.

To reports of common carriers may be taken before any person authorized to administer an oath by laws of State in which taken. § 20 : p. 27 : l. 19.

To secure immunity testimony must have been given or evidence produced, etc., under, by natural persons, in obedience to a subpoena. Act June 30, 1906. § 1 : p. 34 : l. 14.

OATHS.

Either of members of Commission may administer, etc. § 17 : p. 25 : l. 16.

May be administered by special agents appointed by Commission to carry out Act, etc. § 20 : p. 28 : l. 38.

OBEDIENCE.

Court shall enforce, etc., to Order of Commission. § 16 : p. 22 : l. 36, 40, 42. See § 15 : p. 19 : l. 32. § 16 : p. 23 : l. 7, 17.

Petition to enforce Order shall show how carrier has failed of.
§ 16 : p. 22 : l. 27.

[The references are to sections, pages, and lines]

OBEY.

Penalty for carrier, officer, etc., knowingly failing or neglecting to, Order of Commission under Section 15, \$500 for each offense, etc. § 16 : p. 21 : l. 41.

Commission or any party injured may petition Court to force carrier to, etc., Order, other than for payment of money. § 16 : p. 22 : l. 18.

Writ of Mandamus for failure to obey Order. § 20 : p. 28 : l. 26.

OBEYING.

Application for rehearing no excuse for not, Order, etc., of Commission, etc. § 16 a : p. 24 : l. 27.

OBSERVANCE.

Court may enforce, of published tariffs, etc. Elkins Act. § 3 : p. 37 : l. 21.

OBSERVE.

Duty of carrier to, etc., order of Commission. § 16 : p. 21 : l. 37.

OFFENSE.

See also "Misdemeanor;" "Penalties."

Each day of continuance of agreement for pooling of freights a separate. § 5 : p. 9 : l. 37.

Jurisdiction given to United States District Court of violations of Act, within whose jurisdiction offense was committed. § 10 : p. 13 : l. 37, 39.

Unlawful discrimination. Additional penalty. § 10 : p. 13 : l. 39.

False billing, etc., knowingly and wilfully, by carrier or shipper. Jurisdiction given to United States Court, etc., within district in which, was committed. § 10 : p. 14 : l. 13, 33.

Inducing carrier to discriminate unjustly. Jurisdiction given to any United States Court, etc., within district in which, committed. Penalty. § 10 : p. 15 : l. 5. § 10 : p. 15 : l. 8.

Refusal or neglect, knowingly to obey Order of Commission under Section 15. Penalty: \$5,000 for each offense, etc. § 16 : p. 21 : l. 44.

Each distinct violation a separate. § 16 : p. 21 : l. 44, 45.

In continuing violation each day a separate. § 16 : p. 22 : l. 2.

Failure or refusal to keep such accounts, etc., and in manner prescribed by Commission, etc., etc. Penalty: forfeiture of \$500 for each and every day of continuance of offense. § 20 : p. 27 : l. 37, 45, 46.

Witness neglecting or refusing to attend, produce books, etc., in obedience to subpoena, etc., of Commission, guilty of. Penalty: fine \$100 to \$5,000, or imprisonment not more than one year, or both. Act Feb. 11, 1893. § 1 : p. 33 : l. 20.

Under Elkins Act begun in one jurisdiction and completed in another may be dealt with by United States Court, etc., in either jurisdiction, etc. Elkins Act. § 1 : p. 35 : l. 25, 28.

[The references are to sections, pages, and lines]

OFFENSE (Continued).

Any departure from legal rate, or offer to depart therefrom, an.
Same. § 1 : p. 35 : l. 43.

Giving and receiving passes, etc., in violation of Act. Penalty.
§ 1 : p. 7 : l. 18.

OFFER.

Unlawful, etc., to, grant, give, etc., rebate, etc. Elkins Act. § 1 :
p. 34 : l. 38.

Penalty for carrier or shipper knowingly to offer, etc., rebate.
Same. § 1 : p. 35 : l. 7, 11.

Additional penalty for officer, etc., of corporation subject to Act.
Same. § 1 : p. 35 : l. 19.

Any, to depart from legal rate, an offense. Elkins Act. § 1 :
p. 35 : l. 43.

OFFICE.

Schedules of rates, etc., to be published, etc., in every office, etc., etc.,
where passengers or freight received, etc. § 6 : p. 10 : l. 21.

Same as to freight, etc., carried through a foreign country, etc.
§ 6 : p. 10 : l. 31.

Supplies. Commission may procure all necessary. § 18 : p. 25 : l. 30.

Principal, of Commission to be at Washington, D. C. § 19 : p. 25 :
l. 40.

OFFICER.

Penalty for, etc., of carrier subject to Act, etc., for violating Act.
§ 10 : p. 13 : l. 22, 42.

Penalty for, of corporation, etc., for inducing carrier to discriminate
unjustly. § 10 : p. 14 : l. 37.

Of corporation common carrier. Penalty for false billing, etc.
§ 10 : p. 14 : l. 3.

Of corporation, the shipper. Penalty for false billing, etc. § 10 :
p. 14 : l. 18.

Of any corporation. Penalty for inducing common carrier, to dis-
criminate unjustly, etc. § 10 : p. 14 : l. 41. § 10 : p. 15 : l. 1.

Penalty for, of carrier, etc., knowingly failing or neglecting to obey
Order of Commission under Section 15. § 16 : p. 21 : l. 39.

Court may restrain, etc., of carrier from further disobedience of
Order of Commission. § 16 : p. 22 : l. 38.

Misdemeanor of, of corporation common carrier subject to Act and
amendments, a misdemeanor also of corporation, etc. Elkins
Act. § 1 : p. 34 : l. 22.

OFFICERS.

Common carrier subject to Act may give interstate passes, etc., to
its. § 1 : p. 6 : l. 34.

May interchange passes for, etc., of common carriers and their
families. § 1 : p. 7 : l. 12.

[The references are to sections, pages, and lines]

OFFICERS (Continued).

- Railroads may give free carriage to their own. § 22 : p. 30 : l. 4.
 Principal, of any railroad company or companies may exchange passes, etc., with other railroad companies for their, etc. § 22 : p. 30 : l. 7.
 Of common carrier sued for damages for violation of Act may be compelled by Court to testify, etc. § 9 : p. 13 : l. 8.
 Order of Commission served by mailing copy, etc., to any one of principal, etc., of carrier at his usual place of business, etc. § 16 : p. 21 : l. 28.

OFFICES.

- Commission may hire suitable. § 18 : p. 25 : l. 28.

OFFICIAL.

- Every, Act of Commission shall be entered of record. § 17 : p. 25 : l. 11.
 Expenses of Commission, etc., on, business in other places than Washington to be allowed and paid on itemized vouchers approved by chairman. § 18 : p. 25 : l. 36.
 Official seal of Commission to be judicially noticed. § 17 : p. 25 : l. 15.

OFFSET.

- Any person, corporation, etc., knowingly accepting, etc., rebate or, against regular charges, etc., to forfeit in addition to any penalty provided by this Act, three times amount of money received, etc. § 1 : p. 36 : l. 12, 24.

OIL.

- Corporations and persons engaged in transportation of, etc., by pipe lines, etc., held to be common carriers within meaning and purpose of Act. § 1 : p. 5 : l. 5.

OMISSION.

- Penalty for aiding or abetting any such, or failure, to comply with Act, etc. Fine not over \$5,000 for each offense. § 10 : p. 13 : l. 33.

OMIT.

- Wilfully, or fail to do any act, etc., in Act required to be done, etc. Penalty. Fine not over \$5,000 for each offense, etc. § 10 : p. 13 : l. 28.

OPERATE.

- Carrier shall construct, maintain, and, etc., switch connections, etc. § 1 : p. 7 : l. 43.
 If carrier shall fail to, etc., switch or connection, Commission may Order it to comply, etc. § 1 : p. 8 : l. 8.

[The references are to sections, pages, and lines]

OPERATED.

Term "railroad" to include all road in use by any corporation operating a railroad whether owned or, under contract, etc.
§ 1 : p. 6 : l. 6.

OPERATING.

Commission may prescribe conditions of, through routes. § 15 :
p. 19 : l. 44.

See "Operated." § 1 : p. 6 : l. 6.

OPERATING EXPENSES.

Annual report of carriers, etc., shall show, etc. § 20 : p. 26 : l. 26.

OPERATING OFFICE.

Petition may be filed in Court to enforce obedience to, Order for payment of money in United States Circuit Court for district in which is located principal, of the carrier. § 16 : p. 20 : l. 36.

Forfeiture provided in this Act, etc., recoverable in civil suit, etc., in district where carrier has principal, etc. § 16 : p. 22 : l. 7.

Petition to enforce Order of Commission other than for payment of money may be brought in Circuit Court in district in which carrier has principal, etc. § 16 : p. 22 : l. 22, 23.

Venue of suits in United States Circuit Court to enjoin, etc., any Order, etc., of Commission shall be in district where carrier, etc., has principal. § 16 : p. 23 : l. 10.

If Order, etc., is against two or more carriers, then in district where any one has its principal. § 16 : p. 23 : l. 14.

If carrier has principal, in District of Columbia venue shall be in District where carrier has principal. § 16 : p. 23 : l. 15, 17.

OPERATING TRUSTEES.

Subject to provisions as to Commission prescribing accounts, etc. access to records, etc., prohibition against keeping any other accounts, examination by special agents or examiners, etc., etc.
§ 20 : p. 27 : l. 35, 36.

OPERATIONS.

Annual report of carriers to contain complete exhibit of financial.
§ 20 : p. 26 : l. 28.

OPPOSITE.

Reasonable notice of taking deposition must be given to, party or his attorney, as either may be nearest. § 12 : p. 17 : l. 16.

ORDER.

See "Commission," sub-heading "Order."

Commission, on complaint, etc., after full hearing, may make an Order, —

That carrier shall cease and desist from violations of Act in the way of unjust or unreasonable regulations or practices, etc., to extent to which Commission finds same to exist. § 15 :
p. 19 : l. 20.

[The references are to sections, pages, and lines]

ORDER (Continued).

- That carrier shall not thereafter publish, demand, or collect any rate or charge in excess of maximum prescribed by Commission. § 15 : p. 19 : l. 22.
- That carrier shall conform to regulation or practice prescribed by Commission. § 15 : p. 19 : l. 24.
- Commission may apportion, by supplemental Order, joint rates, etc., when carriers fail to agree, etc. § 15 : p. 19 : l. 37, 40.
- Commission may determine, etc., and fix by appropriate, maximum charge, etc., for services rendered or use of instrumentalities furnished by owner of property transported, etc. § 15 : p. 20 : l. 16.
- Directing carrier to pay damages. § 16 : p. 20 : l. 28.
- Switch connections. § 1 : p. 8 : l. 15.
- General, modifying requirements as to changes in rates. § 6 : p. 11 : l. 13.
- General, for regulating proceedings, forms of notices and service, Commission may make or amend. § 17 : p. 25 : l. 5, 6.
- Commission may make, as to additional parties in same manner and to same extent, etc., as now authorized by law with respect to carriers. § 2 : p. 36 : l. 42.
- Duty of common carriers, agents, and employees to observe and comply with, as long as in effect. § 16 : p. 21 : l. 37.
- Commission shall make report in writing, whenever investigation held which shall state its conclusions together with its decision, order, etc. § 14 : p. 18 : l. 29.
- Of Commission, except for payment of money, to take effect within such reasonable time — not less than thirty days — as prescribed in Order. § 15 : p. 19 : l. 27.
- Shall continue in force for such period of time — not exceeding two years — as prescribed in Order. § 15 : p. 19 : l. 28.
- Unless suspended or set aside by a Court of competent jurisdiction. § 15 : p. 19 : l. 32.
- Unless suspended or modified or set aside by the Commission. § 15 : p. 19 : l. 30.
- Supplemental, of Commission prescribing, after hearing, proportions of joint rates, etc., when carriers fail to agree, to take effect as part of original. § 15 : p. 19 : l. 37, 40.
- Application for rehearing of. § 16 a : p. 24 : l. 19.
- Application for rehearing shall not excuse carrier from complying with, without the special, of Commission. § 16 a : p. 24 : l. 28.
- Application for rehearing not to operate to stay or postpone enforcement thereof, without special Order of Commission. § 16 a : p. 24 : l. 29, 30.
- Commission may reverse, change, or modify original, if in its judgment unjust or unwarranted. § 16 a : p. 24 : l. 38.

[The references are to sections, pages, and lines]

ORDER (Continued).

Commission may reverse, change, or modify original. § 16 a : p. 24 : l. 38.

Any decision, order, etc., after rehearing, reversing, etc., original determination, subject to same provisions as original. § 16 a : p. 24 : l. 39, 42.

If carrier does not comply with, for payment of money, etc., person for whose benefit, was made, etc., may enforce, for payment of money by petition in Court. § 16 : p. 20 : l. 31, 33.

Failure to obey, other than for payment of money, Court may enforce. § 16 : p. 22 : l. 18, 25.

Of Commission to be in petition. § 16 : p. 20 : l. 39.

All parties in whose favor Commission has made award of damages in a single, may be joined as plaintiffs. § 16 : p. 21 : l. 13.

All carriers parties to, awarding damages may be joined as defendants. § 16 : p. 21 : l. 15.

Of Commission prima facie evidence of facts therein stated in petitions to enforce Orders for payment of money. § 16 : p. 20 : l. 42.

Petition to enforce Order for payment of money to be filed in Circuit Court within one year from date of Order and not after. § 16 : p. 21 : l. 6, 9.

Petition to enforce Order of Commission other than for payment of money shall contain substance of Order. § 16 : p. 22 : l. 26.

Courts shall enforce obedience to, regularly made and duly served, etc. § 16 : p. 22 : l. 34, 36.

Court shall restrain carrier, etc., from further disobedience of. § 16 : p. 32 : l. 39.

Court may enjoin, set aside, annul, or suspend any, etc., of Commission in suits brought against Commission. § 16 : p. 23 : l. 5, 7, 17.

Venue of such suits shall be district where carrier against whom the, etc., made, has principal operating office. § 16 : p. 23 : l. 5, 10.

Such suits may be brought any time after, promulgated. § 16 : p. 23 : l. 11.

If, against two or more carriers such suits may be brought in District where any one has principal operating office. § 16 : p. 23 : l. 13.

Expediting Act of Feb. 11, 1903, shall apply to any proceeding in Equity to enforce any, of Commission. § 16 : p. 23 : l. 25.

Appeal from, of Circuit Court on petition to enforce Order of Commission other than for payment of money, shall not vacate or suspend, appealed from. § 16 : p. 23 : l. 3.

No injunction, interlocutory Order, etc., suspending, etc., enforcement of Order of Commission except on Hearing and five days' notice to Commission. § 16 : p. 23 : l. 37, 38.

[The references are to sections, pages, and lines]

ORDER (Continued).

Appeal from interlocutory, etc., granting or continuing an injunction in any suit only to Supreme Court of United States. § 16 : p. 23 : l. 40.

Appeal must be taken within thirty days from entry of. § 16 : p. 23 : l. 44.

Court may require discontinuance of any discrimination forbidden by law by proper orders, etc. Elkins Act. § 3 : p. 37 : l. 23.

Said, etc., may be enforceable as well against the parties interested in the traffic as against the carrier. Same. § 3 : p. 37 : l. 23.

ORIGINAL.

Proceedings on rehearing to conform as nearly as may be to proceedings in an, hearing. § 16 a : p. 24 : l. 33.

ORIGINAL DECISION.

Commission may reverse, etc., if unjust or unwarranted in any respect. § 16 a : p. 24 : l. 37.

ORIGINAL DETERMINATION.

Any decision, Order, etc., reversing, etc., after rehearing, the, subject to same provisions as an original Order. § 16 a : p. 24 : l. 41.

ORIGINAL ORDER.

Commission may, on rehearing, reverse, change, etc., if in its judgment unjust or unwarranted in any respect. § 16 a : p. 24 : l. 37.

ORIGINAL REQUIREMENT.

See "Original Order." § 16 a : p. 24 : l. 37.

ORIGINALS.

Copies or extracts from schedules, tariffs, contracts, etc., or reports, made public records, etc., certified by Secretary under seal of Commission shall be received in evidence with like effect as the originals. § 16 : p. 24 : l. 17.

OTHER.

Keeping, accounts, etc., than prescribed or approved by Commission. Misdemeanor. Penalty: fine, imprisonment, or both. See "Penalty." § 20 : p. 28 : l. 9.

Commissioners shall not engage in any other business. § 11 : p. 15 : l. 36.

OWN.

After May 1, 1908, unlawful for any railroad company to transport in interstate or foreign commerce any article or commodity, — other than timber and manufactured products thereof, — manufactured, mined, or produced by it or under its authority, or which it may own in whole or in part or in which it may have

[The references are to sections, pages, and lines]

OWN (Continued).

any interest direct or indirect, except such articles or commodities necessary and intended for its use in conduct of its business as a common carrier. § 1 : p. 7 : l. 29, 36.

OWNED.

Reference to. § 1 : p. 6 : l. 6.

OWNER.

Commission may determine and fix by appropriate Order maximum reasonable charge for services rendered or use of instrumentality furnished by, of property transported, etc. § 15 : p. 20 : l. 7.

OWNERS.

Amount paid by initial carrier to, of property, etc., for damages caused by other carriers, etc., may be recovered, etc., against carrier, etc., on whose line the damage, etc., is sustained, etc. § 20 : p. 29 : l. 10.

OWNERSHIP.

Term "transportation" shall include cars and other vehicles and all instrumentalities and facilities of shipment, etc., irrespective of. § 1 : p. 6 : l. 15.

P

PACKAGE.

Securing lower than regular established rates by means of false representation of contents of. Penalty : fine, imprisonment, or both. § 10 : p. 14 : l. 24.

PAID.

Annual report of carriers shall show in detail amounts, for the capital stock, etc. § 20 : p. 26 : l. 16.

Commissioners. How paid. § 18 : p. 25 : l. 21.

PAPERS, PRODUCTION OF.

Commission may require by subpoena attendance and testimony of witnesses, production of books, papers, etc. § 12 : p. 16 : l. 18.

Any person may be compelled to appear and depose, produce documentary evidence, etc., in same manner as evidence before Commission. § 12 : p. 17 : l. 20.

May be required from any place in United States at any designated place of hearing. § 12 : p. 16 : l. 23.

In case of disobedience Commission or any party may invoke aid of Court. § 12 : p. 16 : l. 26.

Any Circuit Court of United States may issue Order requiring any common carrier subject to Act, who refuses to obey subpoena of Commission, to appear before Commission, testify and produce books, papers, etc. § 12 : p. 16 : l. 39.

[The references are to sections, pages, and lines]

PAPERS, PRODUCTION OF (Continued).

In actions for recovery of damages Court may compel any director, officer, receiver, etc., of corporation or company defendant to attend, appear, testify, produce books, papers, etc. § 9 : p. 13 : l. 12.

In proceedings under this Act and Acts to regulate commerce, Court shall have power to compel attendance of witnesses, both on part of carrier and shipper, etc., and to compel production of books, papers, etc. Elkins Act. § 3 : p. 37 : l. 42.

Penalty for any person refusing to attend, testify, answer any lawful inquiry, produce books, papers, etc., if in his power to do so, in obedience to subpoena or lawful requirement of Commission,— fine \$100 to \$5,000, or imprisonment not more than one year, or both. Act Feb. 11, 1893. § 1 : p. 33 : l. 15.

Refusal to obey order of Court to attend, etc., before Commission may be punished as contempt. § 12 : p. 16 : l. 39.

All existing laws relating to attendance of witnesses, production of evidence, and compelling of testimony under Act and amendments shall apply to all proceedings and hearings under this Act. Act June 29, 1906. § 9 : p. 32 : l. 7.

Witness not excused from testifying, production of books, papers, etc., because may tend to criminate him. § 9 : p. 13 : l. 14. § 12 : p. 16 : l. 40. Act Feb. 11, 1893. § 1 : p. 33 : l. 6. Elkins Act. § 3 : p. 37 : l. 45.

Such evidence shall not be used against such person on the trial of any criminal proceeding. § 9 : p. 13 : l. 16. § 12 : p. 16 : l. 40.

No person shall be prosecuted or subjected to any penalty or forfeiture for or on account of such testimony, production of evidence, documentary or otherwise, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 7. Elkins Act. § 3 : p. 38 : l. 2.

Perjury excepted. Act Feb. 11, 1893. § 1 : p. 33 : l. 14.

See also "Witnesses."

Immunity only to natural persons, etc. Act June 30, 1906. § 1 : p. 33 : l. 26.

PART.

Reference to. § 1 : p. 6 : l. 28.

PARTICIPATE.

Shall not, in transportation, etc., unless rates filed and published. § 6 : p. 11 : l. 35.

PARTICIPATES.

Rate published, etc., shall be conclusively deemed to be the legal rate as against any carrier who publishes or, in same. § 1 : p. 35 : l. 39.

[The references are to sections, pages, and lines]

PARTIES.

Names of, to joint tariffs to be specified therein. § 6 : p. 11 : l. 15.
 Each of, thereto shall file concurrence with Commission, etc.
 § 6 : p. 11 : l. 17.

Carriers filing concurrence need not file copies of tariffs in which
 named as. § 6 : p. 11 : l. 23.

Joinder of, in petitions to enforce orders for payment of money.
 § 16 : p. 21 : l. 12, 14.

In any proceeding for enforcement of the statutes relating to inter-
 state commerce, whether instituted before Commission or begun
 originally in any United States Circuit Court all persons interested
 in or affected by the rate, etc., under consideration, in addition to
 the carrier may be included as. Elkins Act. § 2 : p. 36 : l. 39.

Orders and decrees may be made with reference to and against
 such additional, in same manner, etc., etc., as authorized by law
 with respect to carriers. Elkins Act. § 2 : p. 36 : l. 43.

Orders, writs, and processes of Court in enforcing observance of
 published tariffs and requiring discontinuance of discrimination
 may be enforceable as well against, interested in the traffic as
 against the carrier, subject to right of appeal, etc. Same.
 § 3 : p. 37 : l. 24.

PARTLY.

References to. § 1 : p. 5 : l. 7. § 1 : p. 5 : l. 13.

PARTY.

A, in any proceeding, etc., may have deposition taken after cause,
 etc., is at issue on petition and answer. § 12 : p. 16 : l. 45.

The, proposing to take deposition must give reasonable notice, etc.
 § 12 : p. 17 : l. 15.

Copy of report of Commission to be sent to, who complained, etc.
 § 14 : p. 18 : l. 35.

Either may appeal from Circuit Court to Supreme Court of United
 States from any action on petition to enforce Order of Com-
 mission. § 16 : p. 22 : l. 44.

Any, may ask for rehearing. § 16 a : p. 24 : l. 20. See § 20 :
 p. 27 : l. 7.

Commission may prescribe proportion of joint rate to be received
 by each carrier, thereto. § 15 : p. 19 : l. 39.

Not more than four Commissioners to be of same political party.
 § 24 : p. 32 : l. 4. See § 11 : p. 15 : l. 30.

Any, may appear before Commission in person or by attorney.
 § 17 : p. 25 : l. 10.

On request of either, interested proceedings before Commission
 shall be public. § 17 : p. 25 : l. 13.

Reference to, applying for Writ of Mandamus. § 23 : p. 31 : l. 15.

Penalty for violation of Act by any. § 10 : p. 13 : l. 25.

[The references are to sections, pages, and lines]

PARTY (Continued).

Carrier, etc., must file copies of all contracts, etc., etc., with other carriers with relation to traffic affected by provisions of this Act to which it may be a. § 6 : p. 11 : l. 28.

Any, injured by failure or neglect of any carrier to obey Order of Commission other than for payment of money may petition Court to enforce Order. § 16 : p. 22 : l. 20.

Court may compel corporation or company, to suit for damages to testify and produce books, etc. § 9 : p. 13 : l. 13.

Any, to decision, order, etc., may apply for rehearing. § 16 a : p. 24 : l. 20.

PARTY COMPLAINANT.

Commission may determine, to be entitled to award of damages and make Order, etc. § 16 : p. 20 : l. 25.

PARTY INTERESTED.

Proceedings shall be made public at request of either. § 17 : p. 25 : l. 14.

PASSENGERS.

Transportation of, wholly within State, etc., not subject to Act. § 1 : p. 5 : l. 30.

Transportation of, etc., subject to Act. § 1 : p. 5 : l. 12.

All charges for services rendered in transportation of passengers, etc., shall be just and reasonable. § 1 : p. 6 : l. 25.

No passes to be given for transportation of, except to certain persons and classes named. § 1 : p. 6 : l. 33. See § 22 : p. 29 : l. 31.

Free carriage allowed for, in epidemics. § 1 : p. 7 : l. 14.

No greater or less compensation, etc., in transportation of, etc. § 2 : p. 8 : l. 26.

Equal facilities, etc., for receiving, forwarding, and delivering of. § 3 : p. 9 : l. 3.

No greater charge for shorter than longer distance, etc., etc. § 4 : p. 9 : l. 13.

Commission may authorize less for longer than shorter distance. § 4 : p. 9 : l. 25.

Schedules shall plainly state places between which property and, will be carried, etc. § 6 : p. 10 : l. 9.

Schedules shall plainly state any rules and regulations which in any wise change, affect, or determine, etc., rates, fares, and charges or value of service rendered to, shipper, or consignee. § 6 : p. 10 : l. 17.

Copies of schedules to be plainly printed, etc., and posted, etc., in every depot, etc., where, etc., received for transportation, etc. § 6 : p. 10 : l. 21.

No carrier shall engage in transportation of, etc., unless rates, fares, etc., filed and published, etc. § 6 : p. 11 : l. 35.

[The references are to sections, pages, and lines]

PASSENGERS (Continued).

No carrier shall charge, etc., greater, less, or different compensation for transportation of, etc., than that specified in tariff filed and in effect. § 6 : p. 11 : l. 41.

No remission, refund, rebate, privileges, or facilities except such as specified in tariffs. § 6 : p. 12 : l. 4.

Unlawful discrimination in transportation of, or property. Penalty : fine, imprisonment, or both. § 10 : p. 13 : l. 41.

Accidents to, to be shown in annual report of carriers. § 20 : p. 26 : l. 22. (See Act March 3, 1901, requiring monthly reports.) § 1 : p. 49 : l. 5.

Departure from published rates or discrimination by carrier in carriage of, or freight may be enjoined, etc., by Court at suit of Commission. Elkins Act. § 3 : p. 37 : l. 3.

PASSES.

Free, prohibited after Jan. 1, 1907, except to certain persons and classes designated. § 1 : p. 6 : l. 30. See also § 22 : p. 29 : l. 31.

May be given to certain persons, etc., specified. § 1 : p. 6 : l. 34. § 22 : p. 29 : l. 31.

Interchange of, for officers, agents, and employees of common carriers, and their families. § 1 : p. 7 : l. 10.

Interstate free, etc., may be given by a common carrier subject to Act to its employees and their families, its officers, agents, surgeons, physicians, and attorneys at law, etc., etc. § 1 : p. 6 : l. 34.

Nothing in Act shall be construed to prevent railroads from giving free carriage to their own officers and employees. § 22 : p. 30 : l. 2.

Or to prevent principal officers of any railroad company or companies from exchanging passes or tickets with other railroad companies for their officers and employees. § 22 : p. 30 : l. 6.

Penalty for giving or using passes in violation of Section 1, fine of from \$100 to \$2,000. § 1 : p. 7 : l. 16, 20.

Jurisdiction of offenses under this provision shall be same as provided for offenses in Elkins Act of Feb. 19, 1903. § 1 : p. 7 : l. 23.

PAY.

See "Penalties."

PAYMENT.

Inducing, by payment of money, etc., etc., common carrier, etc., to discriminate unjustly, etc., etc. Penalty : fine not to exceed \$5,000 or imprisonment not to exceed two years, or both, etc. § 10 : p. 14 : l. 38.

Order for payment of money. If carrier does not comply petition may be filed in Circuit Court, etc. § 16 : p. 20 : l. 31.

[The references are to sections, pages, and lines]

PAYMENT (Continued).

Mandamus may issue to compel movement of traffic on equal terms and conditions, etc., under such terms as to, of money into Court, etc., as Court may think proper. § 23 : p. 31 : l. 20.

Of salaries of Commissioners. § 24 : p. 31 : l. 32.

PECUNIARILY.

No person, interested in common carrier subject to Act shall enter upon duties of or hold office of Commissioner. § 11 : p. 15 : l. 34.

PECUNIARY.

No Commissioner shall participate in hearing or proceeding in which he has any, interest. § 17 : p. 25 : l. 4.

PENALTIES.

Violation of anti-pass provision by giving or using pass, etc.,
Misdemeanor.

For each offense, on conviction,

Not less than \$100, nor more than \$2,000. § 1 : p. 7 : l. 16.

Violation of Act by common carrier subject to Act or omitting to do what Act requires, etc.,

Liable for full amount of damages sustained together with reasonable counsel or attorney's fee, etc., etc. § 8 : p. 12 : l. 29.

Wilful violation, etc., of Act, etc., by common carrier subject to Act, or if carrier is a corporation, by its officers, etc., etc., or wilful omission, etc., etc., or aiding or abetting such omission or failure, etc. A misdemeanor. On conviction in United States District Court, etc., fine, not to exceed \$5,000. § 10 : p. 13 : l. 19.

Provided, if offense for which convicted be unlawful discrimination in rates, fares, or charges, etc., etc., such person shall in addition to fine be liable to imprisonment in penitentiary for not exceeding two years, or both, in discretion of Court. § 10 : p. 13 : l. 38.

For common carrier subject to Act or if a corporation, any officer, agent, etc., giving transportation knowingly and wilfully at less than regular established rates in force, etc., by means of false billing, false classification, false report of weight, or by any other device or means, etc., a misdemeanor. On conviction in any Court of United States of competent jurisdiction, etc., fine not exceeding \$5,000 or imprisonment in penitentiary not exceeding two years, or both, in discretion of Court. § 10 : p. 14 : l. 14.

Same by shipper, consignor, or consignee knowingly and wilfully. Same penalty. § 10 : p. 14 : l. 34.

Person or officer of corporation, etc., inducing common carrier subject to Act to discriminate unjustly as against any other consignor, consignee, etc., or aiding or abetting.

Misdemeanor.

[The references are to sections, pages, and lines]

PENALTIES (Continued).

On conviction in any Court of United States of competent jurisdiction, etc.,

Fine not exceeding \$5,000 or imprisonment in penitentiary not to exceed two years, or both, in discretion of Court. § 10 : p. 15 : l. 3.

Refusal to obey Orders of United States Circuit Court to compel common carrier, etc., to appear and testify before Commission. May be punished by Court as a contempt by such carriers. § 12 : p. 16 : l. 30.

Any carrier, officer, agent, etc., etc., knowingly failing or neglecting to obey Order of Commission under Section 15 of Act.

Forfeiture to United States of \$5,000 for each offense.

Every distinct violation a separate offense.

In case of continuing violation each day shall be deemed a separate offense. § 16 : p. 21 : l. 43.

Failure of carrier, person, or corporation subject to Act to make and file annual reports on or before September 30 each year or within time as extended by Commission. Forfeiture of \$100 for each day in default. § 20 : p. 27 : l. 2.

Failure of same to make specific answer to any question authorized by this section within thirty days from time it is lawfully required so to do.

Same penalty. § 20 : p. 27 : l. 2.

Failure to file monthly reports of earnings and expenses or special reports within a specified period, when required by Commission.

Same penalty on carrier. § 20 : p. 27 : l. 15.

Failure or refusal of carrier, receiver, or trustee to keep such accounts, etc., on the books and in manner prescribed by Commission.

Forfeiture of \$500 for each day during continuance of such offense, etc. § 20 : p. 27 : l. 37.

Failure of same to submit such accounts, etc., etc., to inspection of Commission or its examiners. Same penalty. § 20 : p. 27 : l. 37.

Wilful false entry by any person in accounts, etc., or in any record or memoranda kept by carrier, or wilful destruction, mutilation, alteration, or falsification by any other means or device, etc., etc., wilful neglect or failure to make full, true, and correct entries, etc., etc.

Misdemeanor.

Person on conviction in any Court of United States of competent jurisdiction liable to fine of from \$1,000 to \$5,000, or imprisonment for not less than one year nor more than three years, or both. § 20 : p. 28 : l. 1.

Any person keeping any other accounts, records, or memoranda of a carrier than prescribed or approved by Commission.

Misdemeanor.

Same penalty. § 20 : p. 28 : l. 9.

[The references are to sections, pages, and lines]

PENALTIES (Continued).

Examiner who divulges facts, etc., of examination except as directed by Commission or by a Court or Judge thereof.

On conviction in any Court of United States of competent jurisdiction, fine not more than \$5,000 or imprisonment for not over two years, or both. § 20 : p. 28 : l. 18.

Common carrier demanding, collecting, receiving, a greater or less compensation for persons or baggage than specified in copies of joint tariff of rates, etc., filed with Commission, in force at time, on joint interchangeable mileage tickets.

Penalty shall be that provided by Section 10, i. e., \$5,000 fine for carrier and, the offense being unlawful discrimination, imprisonment not over two years, or both, for the person convicted. § 22 : p. 30 : l. 40.

Act of corporation common carrier subject to Act and amendments in doing or omitting anything which would be a misdemeanor if done or omitted by any director, officer thereof, etc., etc., shall also be held to be a misdemeanor committed by such corporation, and on conviction it shall be subject to like penalties as prescribed in said Acts or by this Act with reference to such persons, except as such penalties are herein changed. Elkins Act. § 1 : p. 34 : l. 18.

Wilful failure of any carrier, etc., to file and publish tariffs of rates and charges as required by said Acts, or strictly observe such tariffs until changed according to law.

Misdemeanor.

Upon conviction

Corporation shall pay fine of \$1,000 to \$20,000 for each offense. Elkins Act. § 1 : p. 34 : l. 29.

Carrier or shipper who knowingly offers, grants, or gives, or solicits, accepts, or receives rebates, concessions, or discrimination,

Misdemeanor.

Corporation to pay fine of \$1,000 to \$20,000. Elkins Act. § 1 : p. 35 : l. 10.

Any person, or any officer or director of any corporation subject to this Act, or the Act to regulate commerce and amendments, or any receiver, trustee, lessee, agent, or person acting for or employed by any such corporation, convicted as aforesaid, shall be liable to fine or imprisonment not exceeding two years, or both, in discretion of Court. Same. § 1 : p. 35 : l. 12.

Any person, corporation, or company, etc., knowingly receiving or accepting from common carrier rebate or offset, against regular charges, etc., as fixed by schedules of rates, etc., shall in addition to any penalty provided by this Act —

Forfeit to United States three times amount received and three times value of any other consideration received, etc., etc.

[The references are to sections, pages, and lines]

PENALTIES. (Continued).

To include all rebates or other considerations received, etc., for six years prior to commencement of action. Elkins Act. § 1 : p. 36 : l. 1 to 33.

PENALTY.

Witness giving self-criminating evidence, etc., shall not be subjected to any, etc., for or on account of any transaction, etc., concerning which he may testify, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 8. Elkins Act. § 3 : p. 38 : l. 2. See "Immunity;" "Witness."

That testimony may subject him to, etc., no excuse for not testifying, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 6.

Any person neglecting or refusing to attend and testify, etc., or to produce books, etc., if in his power to do so, in obedience to subpoena or lawful requirement of Commission, guilty of an offense.

On conviction by Court of competent jurisdiction.

Fine \$100 to \$5,000, or imprisonment for not more than one year, or by both. Act Feb. 11, 1893. § 1 : p. 33 : l. 15.

PENDING.

Litigation pending not affected by Act. § 22 : p. 30 : l. 11.

Causes pending in United States Courts not affected by amendments in Act of June 29, 1906, etc. § 10 : p. 32 : l. 14.

Repeal of all Acts, etc., in conflict with this Act not to affect causes now pending. Elkins Act. § 4 : p. 38 : l. 21.

PENITENTIARY.

Imprisonment, etc., in, for violation of Act, etc. See "Penalties."

PEREMPTORY.

Mandamus. See "Mandamus."

PERIOD.

Rebates, etc., accepted within six years of suit for forfeiture of three times amount received, etc., may be included therein. Elkins Act. § 1 : p. 36 : l. 29.

PERJURY.

Excepted from immunity given to witnesses from prosecutions, penalties, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 14.

PERMIT.

Penalty for common carrier, or, if a corporation, an officer, director, receiver, etc., etc., who shall willingly, anything to be done prohibited by Act. § 10 : p. 13 : l. 26.

Penalty for carrier, or, if a corporation, its officers, directors, receiver, etc., which shall willingly, anything required by Act to be done, not to be done. § 10 : p. 13 : l. 30.

PERSON.

Common carrier, etc., liable for violation of Act to, or persons injured for full amount of damages, etc. § 8 : p. 12 : l. 34.

[The references are to sections, pages, and lines]

PERSON (Continued).

References to.

§ 1 : p. 5 : l. 4, 5.

§ 10 : p. 14 : l. 7.

§ 1 : p. 6 : l. 9.

§ 11 : p. 15 : l. 25, 31.

§ 2 : p. 8 : l. 24, 29.

§ 12 : p. 16 : l. 40.

§ 9 : p. 13 : l. 14, 17.

§ 15 : p. 19 : l. 9.

§ 10 : p. 13 : l. 23, 24, 39, 42.

Indigent, destitute, and homeless. Passes, etc., may be given to.

§ 1 : p. 6 : l. 40. § 22 : p. 29 : l. 35, 42.

Injured in wrecks. Passes may be given to. § 1 : p. 7 : l. 9.

Penalty for any, using free pass in violation of Act. § 1 : p. 7 : l. 20.

Undue or unreasonable preference to any particular, etc., unlawful.

§ 3 : p. 8 : l. 38.

To subject any particular, etc., to any undue or unreasonable prejudice or disadvantage, unlawful. § 3 : p. 8 : l. 40.

No privileges or facilities except such as are specified in tariffs to be extended to any shipper or. § 6 : p. 12 : l. 3.

Any, claiming to be damaged by carrier may complain to Commission or bring suit in any District or Circuit Court of United States, etc. § 9 : p. 12 : l. 41.

Such, must elect which remedy to pursue. § 9 : p. 13 : l. 3.

Giving self-criminating evidence given immunity. See "Evidence;" "Crimination;" "Immunity;" "Witness."

Any, acting for corporation common carrier, etc. False billing, etc. Penalty. § 10 : p. 14 : l. 3.

Any, obtaining less than established rates by false billing, etc. Penalty. § 10 : p. 14 : l. 18.

Any, inducing carrier to discriminate unjustly, etc. Penalty. § 10 : p. 14 : l. 37. § 10 : p. 15 : l. 1, 8.

Such, liable in action on case jointly or severally with carrier. § 10 : p. 15 : l. 8.

Unlawful discrimination. Penalty. § 10 : p. 13 : l. 39, 42.

Any, may be compelled to appear and give deposition. § 12 : p. 17 : l. 19, 24.

Deposition may be taken before, etc., designated by Commission. § 12 : p. 17 : l. 32.

Any, may file complaint before Commission. § 13 : p. 17 : l. 40.

Any, wilfully making false entry, etc., in books, etc. Penalty. § 20 : p. 28 : l. 1.

Persons employed by Commission; names and compensation to by in annual report of Commission. § 21 : p. 29 : l. 28.

Writ of Mandamus may be issued upon relation of any, alleging violation of Act by common carrier, to command movement of traffic on equal terms or conditions or at same rates, etc. § 23 : p. 31 : l. 3.

No person excused from testifying, etc., because of self-criminating testimony, etc. § 9 : p. 13 : l. 15. § 12 : p. 16 : l. 41. Act Feb. 11, 1893. § 1 : p. 32 : l. 33. Elkins Act. § 3 : p. 38 : l. 1.

[The references are to sections, pages, and lines]

PERSON (Continued).

Self-criminating evidence shall not be used against person testifying on trial of any criminal proceeding. § 9 : p. 13 : l. 17. § 12 : p. 16 : l. 43.

No, shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may testify or produce evidence, documentary or otherwise, before said Commission or in obedience to its subpoena, etc., or in any such case or proceeding. Act Feb. 11, 1893. § 1 : p. 33 : l. 7. Elkins Act. § 3 : p. 38 : l. 3.

Perjury excepted. Same. § 1 : p. 33 : l. 13.

Immunity provisions in Act of Feb. 11, 1893, and Elkins Act of Feb. 19, 1903, etc., etc., shall extend only to a natural person, who, in obedience to a subpoena, gives testimony under oath or produces evidence, documentary or otherwise, under oath. Act June 30, 1906. § 1 : p. 34 : l. 12.

Penalty for, neglecting or refusing to attend and testify, or to produce books, papers, etc., in obedience to subpoena of Commission, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 15.

Persons, etc., to whom passes or reduced rates may be given. § 1 : p. 6 : l. 34. § 22 : p. 29 : l. 35.

Act of corporation common carrier shall be held to be a misdemeanor if the act would be a misdemeanor if done by, acting for or employed by carrier. Elkins Act. § 1 : p. 34 : l. 23.

Unlawful for any, to offer, give, grant, or to solicit, accept, or receive rebate, etc. Penalty. Elkins Act. § 1 : p. 34 : l. 37. § 1 : p. 35 : l. 6, 12, 16.

Act, omission, or failure of any officer, agent or other, acting for or employed by carrier or shipper, etc., also deemed to be that of carrier or shipper as well as of the person. Elkins Act. § 1 : p. 35 : l. 32, 36.

Any, knowingly receiving rebate, etc. Additional penalty. Forfeiture of three times amount, etc. Elkins Act. § 1 : p. 36 : l. 1, 21.

All persons interested in or affected by rate, regulation, or practice under consideration, etc., may be included as parties, etc. Elkins Act. § 2 : p. 36 : l. 39.

For whose benefit Order for payment of money made may enforce payment in Circuit Court. § 16 : p. 20 : l. 33.

Party may appear before Commission in, or by attorney. § 17 : p. 25 : l. 11.

Failure of any, subject to Act to file annual reports, etc. Penalty. § 20 : p. 26 : l. 46.

Failure of any, subject to Act to make specific answer to questions, etc. Penalty. § 20 : p. 27 : l. 5.

Accidents to, to be shown in annual report. § 20 : p. 26 : l. 22.

PERSONS.

"Acting for," or "employed by," etc. § 10 : p. 14 : l. 3. § 21 : p. 29 : l. 28. Elkins Act. § 1 : p. 34 : l. 23. Elkins Act. § 1 : p. 35 : l. 16.

Accidents to passengers, employees, and other persons to be reported in annual reports of carriers, etc. § 20 : p. 26 : l. 22.

(See Act March 3, 1901, requiring monthly reports of accidents to passengers or employees. § 1 : p. 49 : l. 5.)

Passes to certain designated persons. § 1 : p. 6 : l. 37, 40, 41. § 1 : p. 7 : l. 10.

PESTILENCE.

Relief by free carriage. § 1 : p. 7 : l. 15.

PETITION.

Deposition may be taken at instance of any party after cause, etc., at issue on, and answer. § 12 : p. 17 : l. 2.

To Commission.

For violation of Act. § 13 : p. 18 : l. 2.

Necessary averments in. § 13 : p. 18 : l. 2.

To Circuit Court, by Commission.

To enjoin departures from published rates or any discrimination forbidden by law. Elkins Act. § 3 : p. 37 : l. 1.

To enforce Order for payment of money. § 16 : p. 20 : l. 37.

Above to be filed in Circuit Court within one year of date of Order. § 16 : p. 21 : l. 8.

To enforce Order other than for payment of money. § 16 : p. 22 : l. 21, 25, 32.

Appeal from any action upon petition to enforce Order other than for payment of money to Supreme Court of United States. § 16 : p. 22 : l. 45.

PETITIONER.

In Petitions to enforce Orders for payment of damages the, shall not be liable for costs in Circuit Court. § 16 : p. 20 : l. 44.

Nor for costs at any subsequent stage unless they accrue on his appeal. § 16 : p. 20 : l. 45.

Allowed reasonable attorneys' fees, etc., if he finally prevails. § 16 : p. 21 : l. 1.

PHYSICIANS.

Passes, etc., may be given to, of common carriers subject to Act. § 1 : p. 6 : l. 35.

To, attending persons injured in wrecks. Passes may be given. § 1 : p. 7 : l. 9.

PIPE LINES.

Oil or other commodities, except water, gas, etc., transported by any person or corporation by, etc., etc. § 1 : p. 5 : l. 7, 8.

Schedules shall show rates, etc., between points on own route and points on route of any other carrier by railroad, pipe line, etc. § 6 : p. 10 : l. 1.

[The references are to sections, pages, and lines]

PLACE.

- From one place in a territory to another place in same territory. § 1 : p. 5 : l. 18.
- From any, in United States to an adjacent foreign country. § 1 : p. 5 : l. 20.
- From any, in United States through a foreign country to any other, in United States. § 1 : p. 5 : l. 21.
- From any, to a foreign country and carried from such, etc. § 1 : p. 5 : l. 25.
- Shipped from foreign country to any place in United States and carried to such, etc. § 1 : p. 5 : l. 27.
- Schedules shall state places between which, etc. § 6 : p. 10 : l. 8.
- Posted in two conspicuous places. § 6 : p. 10 : l. 20.
- Freight carried through foreign country to any, in United States. § 6 : p. 10 : l. 29.
- Place of shipment. § 7 : p. 12 : l. 19, 23.
- Place of destination. § 7 : p. 12 : l. 20, 24.
- Any designated, of hearing. § 12 : p. 16 : l. 23.
- Of taking deposition. § 12 : p. 17 : l. 18.

PLAINTIFFS.

- Joinder of, in suits on awards of damages by Commission. § 16 : p. 21 : l. 14, 17.
- Venue of suits as above by joint. § 16 : p. 21 : l. 18.
- Service of process. § 16 : p. 21 : l. 20.
- Judgment may be in favor of any one of, against defendant found to be liable to such. § 16 : p. 21 : l. 24.

PLEADINGS.

- Question of proper compensation raised by, in application for Writ of Mandamus under Section 23. Writ may still issue on terms, etc. § 23 : p. 31 : l. 18.
- In suits under Elkins Act formal, applicable to equity suits not necessary. Elkins Act. § 3 : p. 37 : l. 16.

POINTS.

- Freight shipped to all, in United States beyond foreign country liable to customs duties unless through rate published, etc. § 6 : p. 10 : l. 34.
- Departure from published rates between given. Court may enjoin, etc. Elkins Act. § 3 : p. 37 : l. 4.
- Schedules showing rates, fares, etc., between different, on its own and on route of any other carrier, etc. § 6 : p. 9 : l. 44, 45.

POLITICAL.

- Not more than four Commissioners shall be appointed from same party. § 24 : p. 32 : l. 4. See § 11 : p. 15 : l. 29.

POOLING.

- Of freights forbidden. Each day of continuance a separate offense. § 5 : p. 9 : l. 32, 36.

[The references are to sections, pages, and lines]

PORT.

Of entry. § 1 : p. 5 : l. 27.

Of transshipment. § 1 : p. 5 : l. 25.

POST OFFICE.

Passes, etc., may be given to, inspectors. § 1 : p. 7 : l. 5.

POSTING.

Commission may modify requirements as to, etc., of tariffs. § 6 : p. 11 : l. 11.

POSTPONE.

Application for rehearing not to, enforcement of Order unless, etc. § 16 a : p. 24 : l. 29.

POULTRY.

Passes, etc., may be given to caretakers of. § 1 : p. 7 : l. 3.

POWERS.

Of Commission. See "Commission."

Enumeration of, in Section 15 not to exclude any power which Commission would otherwise have in the making of an Order under Act. § 15 : p. 20 : l. 19.

PRACTICABILITY.

Commission shall determine, of proposed switch connection, etc., on complaint. § 1 : p. 8 : l. 13.

PRACTICABLE.

Carrier shall construct, etc., switch connection, etc., where reasonably. § 1 : p. 8 : l. 2.

PRACTICE.

All persons interested in or affected by rate, regulation, or, under consideration may be made parties. Elkins Act. § 2 : p. 36 : l. 41.

Before Commission to conform to usages of United States Courts. § 17 : p. 25 : l. 9.

PRACTICES.

Commission on complaint, etc., shall determine what, are just, fair, and reasonable and shall order carrier to conform to, so prescribed. § 15 : p. 10 : l. 18, 19, 25.

PRECEDENCE.

In any suit in equity under Commerce Act or other Acts of like purpose that may be enacted in which United States is complainant in which Attorney-General has filed certificate, etc., of general public importance, etc., case shall be given precedence over others and in every way expedited, etc. Act Feb. 11, 1903. § 1 : p. 39 : l. 8.

[The references are to sections, pages, and lines]

PRECEDENCE (Continued).

Appeal from interlocutory decree or order granting or continuing an injunction in any suit, only to Supreme Court of United States, etc., where it shall take, over all except criminal causes. § 16 : p. 23 : l. 43.

Expediting Act of Feb. 11, 1903, shall apply to any case prosecuted under direction of Attorney-General in name of Commission. Elkins Act. § 3 : p. 38 : l. 7, 17.

PREFERENCE.

Undue or unreasonable, forbidden to any person, company, firm, corporation, or locality, etc. § 3 : p. 8 : l. 37.

Shall be given military traffic in time of war, etc., on demand of President. § 1 : p. 12 : l. 8.

PREFERENTIAL.

Regulations. See § 15 : p. 19 : l. 13.

PREJUDICE.

Shall not subject any person, firm, company, corporation, or locality to any undue or unreasonable. § 3 : p. 8 : l. 42.

PREJUDICIAL.

See "Preferential."

PRELIMINARY.

Hearings on application for, injunctions subject to Expediting Act. § 16 : p. 23 : l. 23.

PRESCRIBE.

Commission may, extent of relief from long and short haul clause. § 4 : p. 9 : l. 26.

Commission may determine and prescribe, after full hearing, on complaint, etc., maximum just and reasonable rate or rates, charge or charges, and maximum just, fair, and reasonable regulation or practice. § 15 : p. 19 : l. 15.

Division of joint rates, etc. § 15 : p. 19 : l. 37, 42.

Commission may, forms of accounts, etc., to be kept by carriers, etc. § 20 : p. 27 : l. 22.

Services rendered by owner, etc. Commission may determine just and reasonable maximum charge, etc. § 15 : p. 20 : l. 12.

Reasonable compensation for switch connections. § 1 : p. 8 : l. 14.

Form of schedules, etc. § 6 : p. 11 : l. 29.

Conditions of operating through routes. § 15 : p. 19 : l. 44.

Manner of keeping accounts, etc. § 20 : p. 26 : l. 38.

Uniform system of accounts. § 20 : p. 26 : l. 37.

Form of annual reports. § 20 : p. 26 : l. 11.

PRESCRIBED.

Commission may order carrier not to publish, demand, collect, etc., rates, etc., in excess of maximum prescribed. § 15 : p. 19 : l. 24, 25.

[The references are to sections, pages, and lines]

PRESCRIBED (Continued).

To conform to prescribed regulation or practice. § 15 : p. 19 : l. 25.
 To keep no other accounts, etc., than, by Commission; etc. § 20 :
 p. 27 : l. 31.

Penalty for failing to keep accounts, etc., in the manner prescribed,
 etc. § 20 : p. 27 : l. 39.

Penalty for keeping any other accounts, etc., than as prescribed,
 etc. § 20 : p. 27 : l. 39. § 20 : p. 28 : l. 9.

PRESIDENT.

Of United States can demand preference for military traffic in time
 of war, etc. § 6 : p. 12 : l. 8.

PRESUMPTION.

Conclusive, in any prosecution under this Act that, as against carrier,
 filed and published rate or rate so filed, etc., and participated in is the
 legal rate, etc. Elkins Act. § 1 : p. 35 : l. 42.

PRIMA FACIE EVIDENCE.

Order and findings of Commission in suits for damages to be, of
 facts therein stated. § 16 : p. 20 : l. 42. See also "Evidence."

PRINCIPAL.

Office of Commission to be at Washington. § 19 : p. 25 : l. 40.

Officers of any railroad company may exchange passes, etc., with
 other railroad companies for their officers and employees. § 22 :
 p. 30 : l. 5. See also § 1 : p. 7 : l. 11.

PRINT.

Carriers shall, schedules of rates, fares, etc. § 6 : p. 9 : l. 41. § 6 :
 p. 10 : l. 4. See also "Schedules."

Commission may print annual reports. § 14 : p. 18 : l. 44.

PRIORITY.

Given in Supreme Court of United States to appeals from any action
 on petition to enforce Order other than for payment of money.
 Criminal causes excepted. § 16 : p. 23 : l. 1.

Similar priority to appeals to United States Supreme Court in suits
 to annul, etc., orders of Commission. § 16 : p. 23 : l. 34.

PRIVATE SIDE TRACK.

Switch connections with, etc. § 1 : p. 7 : l. 45.

PRIVILEGES.

Schedules shall contain all, and facilities granted or allowed, etc.
 § 6 : p. 10 : l. 13.

Shall not extend to any shipper or person any, or facilities, etc.,
 except such as are specified in tariffs. § 6 : p. 12 : l. 3.

Joint interchangeable five-thousand-mile tickets with special, as to
 free baggage to be carried under tickets of one thousand or
 more miles, may be issued on conditions stated. § 22 : p. 30 :
 l. 14.

[The references are to sections, pages, and lines]

PROCEDURE.

Person damaged must elect which method of, provided in Section 9 he will adopt. § 9 : p. 13 : l. 6.

Form of, before Commission. § 17 : p. 24 : l. 43.

Commission may make and amend general rules of. § 17 : p. 25 : l. 5, 6.

PROCEEDING.

Expediting Act to apply to any, in equity to enforce any Order or requirement of Commission or any provision of Act and amendments. § 16 : p. 23 : l. 24.

Any party to any, may apply for rehearing by Commission. § 16 a : p. 24 : l. 20.

No Commission shall participate in any, etc., in which he has any pecuniary interest. § 17 : p. 25 : l. 3.

In any, to enforce statute relating to interstate commerce, etc., all persons interested in or affected by the rate, etc., may be made parties, etc. Elkins Act. § 2 : p. 36 : l. 34.

Deposition may be taken at instance of any party to, etc. § 12 : p. 16 : l. 45.

Deposition may be taken, etc., after, is at issue, etc., on petition and answer. § 12 : p. 17 : l. 2.

Commission may order deposition in any, at any stage of. § 12 : p. 17 : l. 4, 5.

Deposition cannot be taken before any one interested in event of, etc. § 12 : p. 17 : l. 13.

PROCEEDINGS.

At rehearings as nearly as possible to, in original hearing. § 16 a : p. 24 : l. 31, 32.

Existing laws as to attendance of witnesses, production of evidence, etc., to apply to all, and hearings under Act of June 29, 1906. Act June 29, 1906. § 9 : p. 32 : l. 7.

Duty of District Attorneys, etc., to prosecute, to enjoin departures from published rate, and discriminations. Elkins Act. § 3 : p. 37 : l. 31.

Commission may request Attorney-General to bring, for violation of Act. § 20 : p. 28 : l. 26.

The, provided by Elkins Act not to preclude suit for damages by party injured or any other action provided by Act of Feb. 3, 1887. Elkins Act. § 3 : p. 37 : l. 31.

Commission may conduct its, so as to conduce to proper dispatch of business and ends of justice. § 17 : p. 24 : l. 44.

Before Commission to be public at request of either party. § 17 : p. 25 : l. 13.

PROCESS.

Service of, in joint suits on awards of damages. § 16 : p. 21 : l. 20.
 Courts shall enforce Orders of Commission other than for payment of money by injunction or other proper, etc. § 16 : p. 22 : l. 37, 41.

PROCESSES.

Court may direct discontinuance of discrimination by proper Orders, writs, and. Elkins Act. § 3 : p. 37 : l. 23.

PRODUCED.

Articles, etc., by railroad not to be transported, etc. § 1 : p. 7 : l. 35.

PRODUCTION.

Certain freight carried through foreign country of which through rate not published, etc., subject to customs duties as if of foreign. § 6 : p. 10 : l. 41.

Of books and papers, etc. See "Papers."

PRODUCTS.

Reference to. § 1 : p. 7 : l. 34.

PROFIT AND LOSS.

Annual reports shall show balances of. § 20 : p. 26 : l. 27.

PROHIBIT.

Reference to. § 1 : p. 7 : l. 11, 13.

PROHIBITED.

Penalty for doing anything, etc., in Act. § 10 : p. 13 : l. 27. See "Penalties."

PROHIBITIONS.

Against transporting passengers or property unless rates filed and published. § 6 : p. 11 : l. 34.

Published rates not to be deviated from. § 6 : p. 11 : l. 44.

Against rebates, refunds, remissions, etc. § 6 : p. 12 : l. 1.

Against extending privileges or facilities not specified in tariffs. § 6 : p. 12 : l. 5.

Against preventing continuous transportation, etc., by change of time schedule, etc., etc. § 7 : p. 12 : l. 14. See also "Penalties."

PROMULGATED.

Reference to. § 16 : p. 23 : l. 11.

PROPER.

Carrier to give reasonable, and equal facilities for interchange of traffic, etc. § 3 : p. 9 : l. 1.

Commission may employ such employees as necessary to, performance of its duties. § 18 : p. 25 : l. 26.

Question of, compensation raised by pleadings to application for Writ of Mandamus not to prevent issuance of writ, etc., on such

[The references are to sections, pages, and lines]

PROPER (Continued).

terms as to security, etc., as Court may think. § 23 : p. 31 : l. 16.

Writ of Mandamus to issue in above on such terms as to security, etc., as Court may think. § 23 : p. 31 : l. 21.

PROPERTY.

References to.

§ 1 : p. 5 : l. 12, 23, 31, 32.	§ 10 : p. 14 : l. 8, 19, 22, 27, 43.
§ 1 : p. 6 : l. 12, 19, 25.	§ 15 : p. 19 : l. 9.
§ 2 : p. 8 : l. 27.	§ 15 : p. 20 : l. 7.
§ 3 : p. 9 : l. 3.	§ 20 : p. 28 : l. 41.
§ 4 : p. 9 : l. 13, 25.	§ 20 : p. 29 : l. 1, 4, 16.
§ 6 : p. 10 : l. 9.	§ 22 : p. 29 : l. 32.
§ 6 : p. 11 : l. 36, 42.	Elkins Act, § 1 : p. 34 : l. 40.
§ 6 : p. 12 : l. 4.	§ 1 : p. 35 : l. 1. § 1 : p. 36 : l. 2, 13.
§ 6 : p. 13 : l. 42.	

Transportation of passengers or property.

§ 1 : p. 5 : l. 11, 30.	§ 6 : p. 11 : l. 35, 42.
§ 1 : p. 6 : l. 25.	§ 6 : p. 12 : l. 3.
§ 2 : p. 8 : l. 26.	§ 10 : p. 13 : l. 41.
§ 4 : p. 9 : l. 12, 24.	§ 15 : p. 19 : l. 8.

Handling of. § 1 : p. 5 : l. 31.

Persons or property. § 1 : p. 6 : l. 9. § 15 : p. 19 : l. 9.

Transportation or delivery of. § 1 : p. 6 : l. 12.

Property transported. § 1 : p. 6 : l. 19. § 15 : p. 20 : l. 7.

Receiving, forwarding, and delivering of passengers and property.
§ 3 : p. 9 : l. 3.

Transportation of passengers or of like kind of property. § 4 : p. 9 : l. 13.

Transportation of property. § 10 : p. 14 : l. 43. Elkins Act. § 1 : p. 34 : l. 40.

Property and passengers will be carried. § 6 : p. 10 : l. 9.

Transportation for property. § 10 : p. 14 : l. 8.

Deliver property for transportation. § 10 : p. 14 : l. 19.

Initial carrier liable for damage to property, etc., on through shipments caused by it or on line of another carrier. § 20 : p. 28 : l. 40.

Transport property. § 10 : p. 14 : l. 22.

Transportation for such property. § 10 : p. 14 : l. 27.

Property in interstate or foreign commerce. Elkins Act. § 1 : p. 34 : l. 40. § 1 : p. 35 : l. 1.

Transport property from, etc. Elkins Act. § 1 : p. 36 : l. 4.

Transportation of such property. Elkins Act. § 1 : p. 36 : l. 12.

Cost and value of, to be shown in annual report of carrier. § 20 : p. 26 : l. 19.

Receiving, for transportation. § 20 : p. 28 : l. 41. § 20 : p. 29 : l. 1, 4, 16.

Care, storage, and handling of, free or at reduced rates for certain classes. § 22 : p. 29 : l. 32.

PROPORTION.

Commission may prescribe just, etc., of joint rates to be received by each carrier if they fail to agree, etc. § 15 : p. 19 : l. 38.

PROSECUTE.

Duty of any District Attorney to whom Commission may apply, etc., to, etc., all necessary proceedings for enforcement of Act, etc. § 12 : p. 16 : l. 8.

Commission may, inquiry in any part of United States. § 19 : p. 26 : l. 2.

PROSECUTED.

Witness shall not be, etc., for testimony which tends to criminate, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 7. See "Witnesses."

PROSECUTION.

No person exempt from prosecution for perjury although otherwise entitled to immunity. Act Feb. 11, 1893. § 1 : p. 33 : l. 13.

PROSECUTIONS.

Under Elkins Act. Rate filed and published by carrier or participated in, conclusively deemed to be legal rate. Elkins Act. § 1 : p. 35 : l. 42.

PROVIDE.

Duty to, transportation upon reasonable request. § 1 : p. 6 : l. 21.

PROVIDED.

References to word "provided" and to the various "provisos" of Act.

§ 1 : p. 5 : l. 29.

§ 22 : p. 30 : l. 10, 12.

§ 10 : p. 13 : l. 38.

§ 23 : p. 31 : l. 15, 22.

§ 15 : p. 20 : l. 4.

Act Feb. 11, 1893. § 1 : p. 33 : l. 12.

§ 16 : p. 21 : l. 9.

Elkins Act. § 1 : p. 35 : l. 12.

§ 20 : p. 29 : l. 7.

Act Feb. 11, 1903. § 2 : p. 39 : l. 24.

PROVIDING.

The carriage of passengers with object of, relief in epidemics, etc. § 1 : p. 7 : l. 14.

PROVISION.

References to. § 1 : p. 7 : l. 10, 17, 21. § 1 : p. 8 : l. 17.

PROVISIONS.

Commission shall enforce, of Section 6 as to joint mileage tickets. § 22 : p. 30 : l. 26.

Of Act. § 1 : p. 5 : l. 30. § 1 : p. 6 : l. 20, 30.

PUBLIC.

Attorney-General to file certificate of, importance. Act Feb. 11, 1903. § 1 : p. 39 : l. 5.

Schedules to be kept open to, inspection, etc. § 6 : p. 9 : l. 42. § 6 : p. 10 : l. 4, 30.

Posted in two, places, etc., for use of. § 6 : p. 10 : l. 20.

[The references are to sections, pages, and lines]

PUBLIC (Continued).

Schedules shall be accessible to. § 6 : p. 10 : l. 23.

No change in rates, etc., except on thirty days' notice to Commission and to the. § 6 : p. 11 : l. 1.

Freight passing through foreign country of which through rate not made, etc., subject to customs duties. § 6 : p. 10 : l. 38.

Proposed changes in rates, etc., to be plainly indicated upon schedules, etc., kept open to, inspection. § 6 : p. 11 : l. 7.

Copies of schedules, tariffs, contracts, etc., filed with Commission to be preserved as, records. § 16 : p. 24 : l. 3.

PUBLICATION.

Of reports. § 14 : p. 18 : l. 37.

PUBLICATIONS.

Of Commission to be evidence, etc. § 14 : p. 18 : l. 40.

PUBLISH.

Commission on complaint, after full hearing, etc., may order carrier not to, demand, or collect, etc., any rate in excess of maximum prescribed by Commission. § 15 : p. 19 : l. 22.

Wilful failure to file and, tariffs of rates, etc., shall be a misdemeanor. Penalty : \$1,000 to \$20,000, to be paid by corporation offending. Elkins Act. § 1 : p. 34 : l. 31.

Commission may, its reports and decisions. § 14 : p. 18 : l. 37.

PUBLISHED.

No carrier shall engage in transportation, etc., unless otherwise provided in Act, unless rates, fares, etc., have been filed and, etc. § 6 : p. 11 : l. 38.

Rates, etc., not to be deviated from. § 1 : p. 11 : l. 39.

Rebates, concessions, discriminations, etc., or any device by which property is transported at less than filed and, rates, unlawful. Elkins Act. § 1 : p. 35 : l. 3.

Court may restrain departures from, rates, etc. Elkins Act. § 3 : p. 37 : l. 5.

Court shall enforce observance of, tariffs. Elkins Act. § 3 : p. 37 : l. 21.

The rate, by carrier or the, rate participated in by carrier shall, as against such carrier, in any prosecution under this Act, be conclusively deemed to be the legal rate, etc. Elkins Act. § 1 : p. 35 : l. 40.

PUBLISHING.

Commission may modify requirements of Section 6 as to, posting, and filing of tariffs. § 6 : p. 11 : l. 11.

PUNISHMENT.

See "Penalties."

PURPOSE.

Within meaning and purpose of Act. § 1 : p. 5 : l. 10.

Q

QUALIFICATIONS.

Of Commissioners. § 24 : p. 31 : l. 31.

QUESTION.

Penalty for failure of carrier, etc., to make specific answer to any, authorized by this section, within thirty days from time it is lawfully required to do so, \$100 for each and every day in default. § 20 : p. 27 : l. 5.

QUESTION OF FACT.

Commission may inquire into any, etc., pertaining to business of carrier, etc. § 19 : p. 26 : l. 4.

If any, raised in pleadings, Writ of Mandamus may still issue pending determination of, on such terms as to security, etc., as Court may think proper. § 23 : p. 31 : l. 15.

QUORUM.

A majority of Commission shall constitute a quorum. § 17 : p. 25 : l. 2.

R

RAILROAD.

References to. § 1 : p. 5 : l. 8, 12, 13. § 1 : p. 6 : l. 5, 6. § 20 : p. 29 : l. 2, 5, 10, 12.

Definition of term:

Shall include all bridges and ferries used or operated in connection with any railroad,

also all the road in use by any corporation operating a railroad, whether owned or operated under a contract, agreement, or lease, shall also include all switches, spurs, tracks, and terminal facilities of every kind used or necessary in the transportation of the persons or property designated herein,

also all freight depots, yards, and grounds used or necessary in the transportation or delivery of any of said property. § 1 : p. 6 : l. 3. § 6 : p. 9 : l. 45.

Lateral, branch line of. § 1 : p. 7 : l. 41, 45.

Any, etc., receiving property for transportation from a point in one State to a point in another State shall issue receipt or bill of lading, and shall be liable to lawful holder thereof for loss, damage, injury, etc., caused by it or any common carrier, etc., to which property may be delivered or over whose lines it may pass. Carrier cannot exempt itself by contract, receipt, etc., from such liability. § 20 : p. 28 : l. 40.

[The references are to sections, pages, and lines]

RAILROAD (Continued).

Initial carrier as above may recover amount paid for said damage from the common carrier, etc., on whose line the damage was sustained as evidenced by any receipt, judgment, or transcript thereof. § 20 : p. 29 : l. 10.

The Railroad Commission or the Railroad Commissioners of any State or Territory may complain to Commission, which complaint Commission shall investigate. § 13 : p. 18 : l. 17.

Unlawful for any railroad company from and after May 1, 1908, to transport in interstate or foreign commerce any article or commodity, other than timber and the manufactured products thereof, manufactured, mined, or produced by it, or under its authority, or which it may own in whole or in part, or in which it may have any interest direct or indirect, except such articles or commodities as may be necessary and intended for its use in the conduct of its business as a common carrier. § 1 : p. 7 : l. 29.

Young Men's Christian Associations. Passes to travelling secretaries of. § 1 : p. 6 : l. 36.

RAILROADS.

Different and competing. § 5 : p. 9 : l. 33, 34.

Pooling of freights of different and competing, forbidden. § 5 : p. 9 : l. 33, 34.

Engaged in interstate commerce as defined in Act. § 20 : p. 26 : l. 10.

May give free carriage to own officers and employees, etc. § 1 : p. 6 : l. 34. § 22 : p. 30 : l. 4.

Principal officers of any, may exchange passes, etc., with other railroad companies for their officers and employees. § 1 : p. 7 : l. 11. § 22 : p. 30 : l. 4.

RAILWAY.

Passes may be given to railway mail employees. § 1 : p. 7 : l. 5.

RATE.

Transportation of property at less rate than named in the tariffs published and filed by means of rebates, etc., or by any device whatever, unlawful. Penalty. Elkins Act. § 1 : p. 35 : l. 1. See "Penalty."

All persons interested in or affected by the rate, etc., under consideration may be made parties in any proceeding to enforce statutes relating to interstate commerce whether before the Commission or begun originally in any Circuit Court of United States. Elkins Act. § 2 : p. 36 : l. 40.

RATES.

Commission may modify provisions as to notice of changes, etc. § 1 : p. 11 : l. 8.

[The references are to sections, pages, and lines]

RATES (Continued).

Giving transportation at less than regular established rates by false billing, etc. Penalty. § 10 : p. 14 : l. 9. See "Penalty."

Commission after full hearing, upon complaint as provided in Section 13, or upon complaint of any carrier, may determine and prescribe the maximum just and reasonable rate or rates, etc., and make an Order that the carrier shall not thereafter publish, demand, or collect any rate, etc., in excess of the maximum rate so prescribed. § 15 : p. 19 : l. 6, 11, 15, 23, 24.

Commission may call for information as to, etc. § 20 : p. 26 : l. 30.

Copies of schedules of, etc., shall be preserved as public records, etc. § 16 : p. 24 : l. 9.

Schedules shall be printed and kept open to public inspection at every depot or office where freight is received for shipment showing through rates established and charged, etc., to all points in United States beyond foreign country, etc. § 6 : p. 10 : l. 32.

If through rate on above shall not have been made public, etc., freight shall be subject to customs duties as if of foreign production. § 6 : p. 10 : l. 37.

Duty to establish just and reasonable, as to through routes. § 1 : p. 6 : l. 22.

Annual reports of carriers shall contain such information in relation to rates, etc., or agreements, arrangements, or contracts affecting the same as Commission may require. § 20 : p. 26 : l. 30.

Property may be carried free or at reduced rates for certain named classes. § 22 : p. 29 : l. 32.

The particular rate filed and published by a carrier or participated in, shall be as against such carrier, its officers or agents, in any prosecution under this Act, conclusively deemed to be the legal rate, and any departure from such rate or offer to depart therefrom shall be deemed an offense under this section. Elkins Act. § 1 : p. 35 : l. 36.

Penalty for receiving from common carrier rebate or offset against regular charges fixed by schedules of rates. Forfeiture, in addition to other penalties prescribed by Act, of three times amount of money so received, etc., etc. Elkins Act. § 1 : p. 36 : l. 10.

Departures from published rates may be restrained by Court. Elkins Act. § 3 : p. 37 : l. 1.

Court may enjoin carrier from moving traffic at less than prescribed rates on file. Elkins Act. § 3 : p. 37 : l. 5.

Joint.

If no, over through route, the separately established rates applied, etc., shall be filed, etc. § 6 : p. 10 : l. 2.

Schedules of joint rates between points on own route and on route of any other carrier by railroad, by pipe line, or by water, when a through route and joint rate has been established, shall be filed

[The references are to sections, pages, and lines]

RATES. Joint (Continued).

with Commission, printed, and kept open to public inspection.

§ 6 : p. 10 : l. 1. See also § 6 : p. 10 : l. 2.

Duty of carriers to establish, etc. § 1 : p. 6 : l. 22.

To be filed, published, etc. § 6 : p. 9 : l. 45.

Applies to water rates, where through route exists. § 6 : p. 10 : l. 1.

Where carriers fail to agree Commission may after hearing prescribe just and reasonable proportion of such joint rates to be received by each carrier party thereto, etc. § 15 : p. 19 : l. 34.

No changes in, save on thirty days' notice. § 6 : p. 10 : l. 43.

Commission may establish, etc. § 15 : p. 19 : l. 42.

See "Joint Interchangeable Mileage Tickets."

References to. § 6 : p. 10 : l. 2, 43. § 15 : p. 19 : l. 34, 39, 42, 43.

§ 15 : p. 20 : l. 3. § 22 : p. 30 : l. 25, 27, 31.

RATES AND CHARGES.

Carriers shall not discriminate in, between connecting lines. § 3 : p. 9 : l. 5.

RATES OR CHARGES.

If found by Commission on complaint, etc., to be unjust, unreasonable, unjustly discriminatory, or unduly preferential or prejudicial, etc., Commission may fix maximum rates, etc. § 15 : p. 19 : l. 6, 15, 24.

RATES, FARES, AND CHARGES.

All must be printed and kept open to public inspection whether between different points on own route or between points on own route and points on route of another carrier, etc. § 6 : p. 9 : l. 42.

If no joint rate established over through route the carriers shall file, print, and keep open to public inspection the separately established, applied to the through transportation. § 6 : p. 10 : l. 6.

The schedule shall contain, etc., all charges, etc., privileges, or facilities granted or allowed, etc., and any rules or regulations which in any wise change, affect, or determine any part or aggregate of. § 6 : p. 10 : l. 16.

No change to be made in, filed and published except after thirty days' notice, etc. § 6 : p. 10 : l. 42.

Proposed changes shall be plainly stated and time when changed, will go into effect. § 6 : p. 11 : l. 4.

Carrier forbidden to refund or remit in any manner or by any device any portion of, so specified. § 6 : p. 12 : l. 2.

Schedules of, shall be filed with Commission, printed, and kept open for public inspection. § 6 : p. 9 : l. 43.

Schedules shall contain all the, for transportation between different points on its own route and between points on its own route and

[The references are to sections, pages, and lines]

RATES, FARES, AND CHARGES (Continued).

points on route of any other carrier by railroad, by pipe line, or by water when a through route and joint rate has been established. § 6 : p. 9 : l. 42.

If no joint rate over through route has been established the several carriers in such through route shall file, print, and keep open to public inspection the separately established rates, fares, and charges applied to the through transportation. § 6 : p. 10 : l. 6.

The schedules shall plainly state

the places between which property and passengers will be carried,
the classification of freight in force,
all terminal charges, storage charges, icing charges,
all other charges which the Commission may require,
all privileges or facilities granted or allowed,
any rules or regulations which in any wise change, affect, or determine any part or the aggregate of such aforesaid rates, fares, and charges,
or the value of the service rendered to the passenger, shipper, or consignee. § 6 : p. 10 : l. 7.

No carrier, unless otherwise provided by this Act, shall engage, etc., in transportation, etc., unless the, upon which same are transported have been filed and published in accordance with Act. § 6 : p. 11 : l. 36.

Carrier shall not charge greater or less or different compensation for transportation of passengers or property or for any service in connection therewith, etc., than the, specified in tariff filed and in effect at the time. § 6 : p. 11 : l. 43.

Carriers forbidden to refund or remit in any manner or by any device any portion of the, so specified. § 6 : p. 12 : l. 2.

Any person convicted of unlawful discrimination, etc., shall in addition to the fine provided for be liable to imprisonment not over two years, or both, in discretion of Court. § 10 : p. 13 : l. 40.

REASONABLE.

Commission may fix, time for answer. § 13 : p. 18 : l. 6.

In suits for money damages, attorneys' fees to be taxed in costs if petitioner finally prevails. § 16 : p. 21 : l. 2.

All charges for services rendered, etc., shall be just and. § 1 : p. 6 : l. 24.

Maximum just and, rates, etc., to be determined by Commission, etc. § 15 : p. 19 : l. 13.

Commission shall determine, on complaint, reasonable charges for switch connections, etc. § 1 : p. 8 : l. 14.

For services rendered by owner, etc. § 15 : p. 20 : l. 8.

Carriers shall afford all reasonable, proper, and equal facilities for interchange of traffic, etc. § 3 : p. 9 : l. 1.

[The references are to sections, pages, and lines]

REASONABLE (Continued).

Just, fair, and, practices and regulations to be determined, etc., by Commission. § 15 : p. 19 : l. 18.

Whenever Commission has reasonable ground for belief that traffic is being carried at less than published rates it may petition Court, etc. Elkins Act. § 3 : p. 37 : l. 2.

The Attorney-General of United States authorized and directed to collect forfeiture of three times amount of rebate received, etc., whenever he has reasonable grounds to believe rebate to have been accepted, etc. Elkins Act. § 1 : p. 36 : l. 20.

Duty of Commission to investigate when there shall appear to be any reasonable ground. § 13 : p. 18 : l. 13.

The party or his attorney must give, notice of proposed deposition. § 12 : p. 17 : l. 14.

Duty of carriers to establish just and, rates applicable to transportation. § 1 : p. 6 : l. 23.

Also as to through routes. § 1 : p. 6 : l. 23.

Duty of carriers to provide and furnish transportation upon, request therefor. § 1 : p. 6 : l. 21.

Duty of carriers to construct, maintain, and operate switch connections, etc., upon reasonable terms. § 1 : p. 7 : l. 44.

Reasonable compensation for switch connections, etc., to be determined by Commission. § 1 : p. 8 : l. 14.

Commission may establish through routes and joint rates provided no reasonable or satisfactory through route exists. § 15 : p. 20 : l. 4.

The carrier shall be called upon by Commission to satisfy the complaint or to answer in writing within a reasonable time, to be specified by the Commission. § 13 : p. 18 : l. 6.

All Orders of Commission except for payment of money shall take effect within such reasonable time, etc., as prescribed in Order. § 15 : p. 19 : l. 27.

REASONABLY.

Duty of carrier to construct, etc., switch connection where reasonably practicable. § 1 : p. 8 : l. 2.

REBATE.

See also "Refund ;" "Remit."

Declared to be unjust discrimination and prohibited. § 2 : p. 8 : l. 23, 33.

Unlawful to offer, grant, or give, or to solicit, accept, or receive, any rebate, etc. Penalty. Elkins Act. § 1 : p. 34 : l. 39. § 1 : p. 35 : l. 8, 10.

Forfeiture in addition to other prescribed penalties of three times amount, etc., for knowingly receiving or accepting rebate, etc. Elkins Act. § 1 : p. 36 : l. 24.

In suits to recover said forfeiture all rebates received, etc., within six years prior to commencement of action may be included. Elkins Act. § 1 : p. 36 : l. 27.

[The references are to sections, pages, and lines]

RECEIPT.

- All services in connection with receipt, etc., of property transported included in term "transportation." § 1 : p. 6 : l. 17.
- Carrier receiving property for transportation from point in one State to point in another shall issue a receipt or bill of lading therefor, etc. § 20 : p. 28 : l. 43.
- Said carrier shall be liable to lawful holder of said receipt or bill of lading for damage, etc., to property caused by it or by any carrier, etc., to which such property may be delivered or over whose line, etc., it may pass. § 20 : p. 28 : l. 44.
- Carrier cannot except itself from above liability by contract, receipt, rule, or regulation. § 20 : p. 29 : l. 4.
- Nothing in this section shall deprive holder of such receipt or bill of lading of any remedy under existing law. § 20 : p. 29 : l. 8.

RECEIPTS.

- Commission may prescribe forms of accounts, etc., relating to receipts and expenditures of money. § 20 : p. 27 : l. 26.
- Annual report of carriers shall show earnings and receipts from each branch of business and from all sources. § 20 : p. 26 : l. 25.

RECEIVE.

- Shall not receive from any person, etc., greater or less compensation for services rendered, etc., than from any other person, etc. § 2 : p. 8 : l. 24, 28.
- Unlawful to charge or receive greater compensation, etc., for shorter than for longer distance over same line, etc. § 4 : p. 9 : l. 11.
- Above shall not be construed as authorizing carrier to charge and receive as great compensation for shorter as for longer distance. § 4 : p. 9 : l. 19.
- Carrier shall not charge, demand, collect, or receive a greater or less or different compensation, etc., than the rates, fares, and charges specified in the tariff filed and in effect at the time. § 6 : p. 11 : l. 40.
- Unlawful to demand, collect, or receive from any person, etc., greater or less compensation, etc., under joint interchangeable mileage tickets than that required by rate, fare, or charge specified in copies of joint tariff of rates, etc., filed with Commission in force at the time. § 22 : p. 30 : l. 35.
- Unlawful to receive, etc., rebate, concession, or discrimination in interstate or foreign commerce. Elkins Act. § 1 : p. 34 : l. 38.
- Penalty for giving, etc., or receiving such rebates, etc. Elkins Act. § 1 : p. 35 : l. 8, 12.
- Forfeiture, in addition to prescribed penalty of three times amount of rebate which any person shall knowingly, etc., receive. Elkins Act. § 1 : p. 36 : l. 10. § 1 : p. 36 : l. 22, 32.

[The references are to sections, pages, and lines]

RECEIVED.

Schedules shall be printed, etc., in every depot, station, or office, etc., where passengers or freight are received for transportation. § 6 : p. 10 : l. 22.

Schedules to be printed and kept open to public inspection at every depot or office where freight is received to be carried through a foreign country to any place in United States. § 6 : p. 10 : l. 32.

RECEIVER.

Penalty for receiver of corporation common carrier for violating Act. § 10 : p. 13 : l. 22.

Penalty for receiver of carrier failing or neglecting to obey Order of Commission under Section 15. § 16 : p. 21 : l. 40.

Provision that Commission may prescribe form of accounts and examine same by special examiners, etc., shall apply to receivers of carriers, etc. § 20 : p. 27 : l. 36.

Penalty for receiver of carrier failing or refusing to keep accounts, etc., as prescribed by Commission or to submit same to inspection. § 20 : p. 27 : l. 38, 43. See "Penalty."

Anything done by corporation common carrier which if done by receiver, etc., would be a misdemeanor shall be misdemeanor of corporation. Elkins Act. § 1 : p. 34 : l. 22.

Penalty for receiver convicted of giving rebate, concession, etc. Elkins Act. § 1 : p. 35 : l. 15. See "Penalty."

RECEIVING.

Act shall not apply to receiving, etc., of property wholly within one State, etc. § 1 : p. 5 : l. 31.

Reasonable, proper, and equal facilities for interchange of traffic, etc., and for receiving, etc., of passengers and property shall be given. § 3 : p. 9 : l. 2.

Receiving common carrier, etc., shall issue bill of lading, etc. § 20 : p. 28 : l. 41.

RECOMMENDATIONS.

Annual report of Commission shall contain such recommendations as to additional legislation as Commission may deem necessary. § 21 : p. 29 : l. 26.

RECORD.

Notice of taking deposition must be given to opposite party or attorney of record. § 12 : p. 17 : l. 17.

Every vote and official act of Commission shall be entered of record. § 17 : p. 25 : l. 12.

Penalty upon any person who shall wilfully make false entries, etc., in any record, or shall falsify the record of any such account, etc. § 20 : p. 28 : l. 2, 5.

[The references are to sections, pages, and lines]

RECORDS.

Copies of schedules and tariffs of rates, etc., and of all contracts, etc., filed with Commission, and statistics, etc., in annual reports of carriers to Commission shall be preserved as public records.

§ 16 : p. 24 : l. 9.

Commission may prescribe forms of all records, etc. § 20 : p. 27 : l. 23.

Commission may prescribe records of movement of traffic as well as receipts and expenditures of money. § 20 : p. 27 : l. 25.

Unlawful for carriers to keep any other accounts, records, or memoranda than those prescribed or approved by Commission. § 20 : p. 27 : l. 30. Penalty. § 20 : p. 27 : l. 30. § 20 : p. 28 : l. 9.

Commission may employ special agents, etc., to inspect and examine all accounts, records, etc., kept by carriers. § 20 : p. 27 : l. 34.

Penalty for refusal of carrier to keep accounts, records, etc., in the books and in the manner prescribed by Commission. § 20 : p. 27 : l. 38. See "Penalty."

Failure or refusal of carrier, etc., to submit records, etc., to inspection of Commission or its authorized agents, etc. Penalty. § 20 : p. 27 : l. 40.

Penalty for any person who shall wilfully neglect or fail to make full, true, and correct entries in accounts, records, etc. § 20 : p. 28 : l. 7.

RECOVER.

Initial carrier may recover whatever it may pay for damage, etc., to property on through shipment from State to State caused by connecting carrier, from such carrier. § 20 : p. 29 : l. 12.

RECOVERABLE.

Forfeiture for failure to keep accounts as prescribed by Commission or to allow inspection of same to be recoverable in same manner as other forfeitures provided for in this Act. § 20 : p. 27 : l. 47.

RECOVERED.

Forfeitures for failure to file annual reports within time specified by Commission or to make specific answer to questions, etc., shall be recovered in manner provided for recovery of forfeitures under provisions of this Act. § 20 : p. 27 : l. 16.

Amount recovered in suit for three times amount of rebate, etc., received shall include all rebates, etc., received, etc., for period of six years prior to commencement of action. Elkins Act. § 1 : p. 36 : l. 30.

REDUCED.

Property may be carried, etc., free or at reduced rates for United States, State, or municipal governments, and other classes. § 22 : p. 29 : l. 33.

[The references are to sections, pages, and lines]

REFERENCES.

In sections of Act to other parts of Act and to other Acts.

Section 1. To Act Feb. 19, 1903. § 1 : p. 7 : l. 35.

Section 1. To Section 13 of Act. § 1 : p. 8 : l. 11.

Section 15. Reference to "transportation" as defined in Section 1. § 15 : p. 19 : l. 9.

Section 16. Reference to "complaint" under Section 13 of Act. § 16 : p. 20 : l. 24.

Section 16. Reference to "order" made under Section 15 of Act. § 16 : p. 21 : l. 42.

Section 16. Reference to Expediting Act of Feb. 11, 1903. § 16 : p. 23 : l. 19.

Section 16. Reference to Act of Feb. 4, 1887, and amendments. § 16 : p. 23 : l. 26.

Section 22. Reference to joint rates, fares, and charges referred to in Section 6. § 22 : p. 30 : l. 32.

Section 22. Reference to provisions of Section 10 of Act which shall apply to violation of requirements of this section as to joint interchangeable five-thousand-mile tickets. § 22 : p. 30 : l. 42.

Reference to Act of Feb. 14, 1903, establishing Department of Commerce and Labor. Act June 30, 1906. § 1 : p. 34 : l. 1. Elkins Act Feb. 19, 1903.

Reference to Expediting Act of Feb. 11, 1903. Elkins Act. § 3 : p. 38 : l. 15.

Reference to Act of July 2, 1890, the Sherman Anti-Trust Act. Act Feb. 11, 1903. § 1 : p. 38 : l. 33.

Reference to Act of Feb. 4, 1887, the Interstate Commerce Act, or any other Acts having a like purpose that hereafter may be enacted. Act Feb. 11, 1903. § 1 : p. 38 : l. 35.

REFRIGERATION.

All services in connection with refrigeration or icing, etc., of property transported included within the term "transportation." § 1 : p. 6 : l. 18.

REFUND.

Nor shall any carrier refund or remit in any manner or by any device any portion of the rates, fares, and charges specified in tariff filed and in effect at the time. § 6 : p. 11 : l. 45.

REFUSAL.

Penalty on carrier, etc., for refusal to keep such accounts, etc., as prescribed by Commission or to submit them for inspection. § 20 : p. 27 : l. 37.

Refusal of witness to obey subpoena; Court may order appearance and testimony, etc. § 12 : p. 16 : l. 32.

[The references are to sections, pages, and lines]

REFUSE.

Penalty for any person who shall neglect or refuse to attend, testify, etc., in obedience to subpoena, etc., of Commission. Act Feb. 11, 1893. § 1 : p. 33 : l. 15. See "Penalty."

REGISTRY.

The registry mail receipt shall be prima facie evidence of receipt by carrier of Order of Commission. § 16 : p. 21 : l. 30.

REGULAR CHARGES.

Forfeiture in addition to penalty for receipt of rebate or offset against regular charges for transportation of property as fixed by schedules of rates, etc. Elkins Act. § 1 : p. 36 : l. 12.

Penalty for carrier willingly suffering or permitting any person, etc., to obtain transportation for property at less than the regular rates established and in force by false billing, etc. § 10 : p. 14 : l. 9. See "Penalty."

REGULAR RATES.

Penalty for shipper, etc., obtaining, knowingly and wilfully, transportation for property at less than regular rates established and in force. § 10 : p. 14 : l. 28.

REGULARLY.

Court shall enforce Order of Commission regularly made and duly served, etc. § 16 : p. 22 : l. 34. See, however, § 15 : p. 19 : l. 31. § 16 : p. 23 : l. 7, 18.

REGULATION.

Commission may make or amend general rules, etc., for order and regulation of proceedings before it. § 17 : p. 25 : l. 7.

In proceedings for enforcement of statutes relating to Interstate Commerce whether before Commission or begun originally in Circuit Court of United States, all persons interested in the rate, regulation, etc., under consideration may be included as parties. Elkins Act. § 2 : p. 36 : l. 40.

Annual report of Commission shall contain information and data, etc., of value in determining questions connected with regulation of commerce. § 21 : p. 29 : l. 25.

Commission after full hearing upon complaint made as provided in Section 13, etc., if it determines that any regulations, etc., are unjust, unreasonable, etc., may prescribe what regulation, etc., is just, fair, and reasonable to be thereafter followed and may make order that carrier shall conform to the regulation, etc., prescribed. § 15 : p. 19 : l. 10, 17, 25.

Annual reports of carriers shall contain such information as Commission may require in relation to rates or regulations concerning fares and freights or agreements, etc. § 20 : p. 26 : l. 30.

No, etc., shall exempt carrier from liability for loss, etc., on through shipments on connecting lines, etc. § 20 : p. 29 : l. 4.

[The references are to sections, pages, and lines]

REHEARING.

Any party after a decision, order, etc., may make application for rehearing. § 16 a : p. 24 : l. 21.

If rehearing granted proceedings shall conform as nearly as may be to proceedings in original hearing. § 16 a : p. 24 : l. 31.

After such rehearing, etc., Commission may reverse, change, or modify same if it shall appear that original decision, order, etc., is in any respect unjust or unwarranted. § 16 a : p. 24 : l. 34.

RELATION.

See "Mandamus."

RELIEF.

Free carriage of passengers to provide, in epidemics, etc. § 1 : p. 7 : l. 15.

RELIEVED.

On making reparation, carrier relieved of liability only for the particular violation. § 13 : p. 18 : l. 8.

Carrier may be, by Commission from long and short haul clause. § 4 : p. 9 : l. 27.

RELIGION.

Passes, etc., may be given to ministers of religion. § 1 : p. 6 : l. 36.

Reduced rates may be given to ministers of religion. § 22 : p. 29 : l. 41.

REMAINING.

Powers of, Commissioners not impaired by vacancies. § 11 : p. 15 : l. 37.

REMEDIES.

Person claiming to be damaged by carrier cannot pursue both remedies provided by Section 9, but must elect. § 9 : p. 13 : l. 4.

Nothing in this Act shall abridge or alter remedies now existing at common law or by statute, but the provisions of this Act are in addition to such remedies. § 22 : p. 30 : l. 8, 10. See "Mandamus." § 23 : p. 31 : l. 1.

Commission may petition Court directly to enjoin or restrain departures from published rate or any discriminations prohibited by law, etc. Elkins Act. § 3 : p. 37 : l. 1.

Expediting Act of Feb. 11, 1903, shall apply to any case prosecuted under direction of Attorney-General in name of Commission. Elkins Act. § 3 : p. 38 : l. 7, 16.

REMEDY.

Nothing in Section 20 shall deprive holder of receipt or bill of lading of any remedy, etc., he has under existing law. § 20 : p. 29 : l. 8.

Given by Writ of Mandamus in Section 23 to command movement of interstate traffic and furnishing cars or other facilities, etc., shall be cumulative, etc. § 20 : p. 31 : l. 23.

[The references are to sections, pages, and lines]

REMIT.

Carriers shall not refund or remit in any manner or by any device any portion of the rates, fares, and charges specified in tariff filed and in effect at the time. § 6 : p. 12 : l. 1.

REMOVAL.

Of Commissioner by President. Grounds for. § 11 : p. 15 : l. 28.

REMOVED.

Any Commissioner may be removed by President for inefficiency, neglect of duty, or malfeasance in office. § 11 : p. 15 : l. 28.

RENDERED.

Carrier forbidden to charge, demand, collect, or receive, etc., greater or less compensation for any service rendered or to be rendered, etc., from one person than from another, etc. § 2 : p. 8 : l. 25.
All charges for service rendered, etc., to be just and reasonable. § 1 : p. 6 : l. 24, 25.

REPARATION.

If carrier shall make reparation within time specified by Commission it shall be relieved of liability only for the particular violation of law complained of. § 13 : p. 18 : l. 8.

REPEALED.

All laws and parts of laws in conflict with provisions of this Act are hereby repealed. Amendments herein provided for not to affect causes pending in United States Courts, such causes to be prosecuted to conclusion in manner heretofore provided by law. Act June 29, 1906. § 10 : p. 32 : l. 11.

All Acts and parts of Acts in conflict with provisions of this Act repealed, such repeal not to affect causes now pending nor rights already accrued. Such causes to be prosecuted to conclusion and such rights enforced in manner heretofore provided by law and as modified by provisions of this Act. Act Feb. 19, 1903. § 4 : p. 38 : l. 19.

REPORT.

Duty of Commission to make report in writing of all investigations. § 14 : p. 18 : l. 27.

Report shall state conclusions of Commission together with decision, order, or requirement in the premises. § 14 : p. 18 : l. 28.

In case damages awarded report shall include findings of fact on which award is made. § 14 : p. 18 : l. 31.

Report of investigations made by Commission shall be entered of record and copy furnished to party who may have complained, and to any common carrier complained of. § 14 : p. 18 : l. 33.

Commission shall make annual report on or before the first day of December in each year. § 21 : p. 29 : l. 18.

[The references are to sections, pages, and lines]

REPORTS.

See also "Commissions," sub-heading "Reports."

Commission may provide for publication of its reports and decisions. § 14 : p. 18 : l. 38.

Copies of reports of carriers made public records certified by Secretary of Commission shall be received in evidence with like effect as the originals. § 16 : p. 24 : l. 15.

Figures contained in annual report of carriers to Commission shall be preserved as public records, etc. § 16 : p. 24 : l. 7.

Commission authorized to require annual reports from all common carriers subject to Act, and from owners of all railroads engaged in interstate commerce as defined in Act. § 20 : p. 26 : l. 8.

The manner in which such reports shall be made to be prescribed by Commission. § 20 : p. 26 : l. 11.

Such annual reports shall show in detail

amount of capital stock issued,

amounts paid therefor,

manner of payment for same ;

dividends paid,

surplus fund, if any,

number of stockholders ;

funded and floating debts and interest paid thereon ;

cost and value of carrier's property, franchises, and equipments ;

number of employees and salaries paid each class ;

accidents to passengers, employees, and other persons, and the causes thereof ;

amounts expended for improvements each year,

how expended, and the character of such improvements ;

earnings and receipts from each branch of business and from all sources ;

operating and other expenses ;

balances of profit and loss ;

complete exhibit of financial operations of carrier each year, including an annual balance sheet ;

information in relation to rates or regulations concerning fares or freights, or agreements, arrangements, or contracts affecting the same, as the Commission may require. § 20 : p. 26 : l. 14 to 33.

Such reports shall cover the period of twelve months ending June 30 of each year. § 20 : p. 26 : l. 40.

Shall be made out under oath. § 20 : p. 26 : l. 43.

Shall be filed with Commission on or before September 30 next following unless additional time granted by Commission. § 20 : p. 26 : l. 43.

Penalty for failure to make and file said annual reports within time specified or extended by Commission. § 20 : p. 27 : l. 2. See "Penalty."

[The references are to sections, pages, and lines]

REPORTS (Continued).

Penalty for failure to make specific answer to any question within thirty days from time it is lawfully required so to do. § 20 : p. 27 : l. 5. See "Penalty."

Commission may require carriers to file monthly reports of earnings and expenses. § 20 : p. 27 : l. 11.

Commission may require carriers to file special reports within specified period. § 20 : p. 27 : l. 12.

Penalty for failure to file such reports within time fixed by Commission. § 20 : p. 27 : l. 13. See "Penalty."

REPRESENTATIONS.

Obtaining transportation at less than regular rates, etc., by false representation of contents of package, etc. Penalty. § 10 : p. 14 : l. 24.

REPRESENTATIVE.

Punishment for carrier or representative, etc., for refusal to obey Order of Commission under Section 15. § 16 : p. 21 : l. 39. See "Penalty."

Court shall enforce obedience to Order of Commission other than for payment of money by writ of injunction, etc., to restrain carrier, its representatives, etc., from further disobedience of Order. § 16 : p. 22 : l. 38.

REQUEST.

Proceedings before Commission to be public at, of either party. § 17 : p. 25 : l. 13.

Commission may, Attorney-General to apply for Writ of Mandamus. § 20 : p. 28 : l. 26.

Commission may request Attorney-General to proceed under Elkins law to restrain violations. Elkins Act. § 3 : p. 37 : l. 29.

Transportation to be furnished when reasonable, therefor. § 1 : p. 6 : l. 21.

REQUIRE.

Commission may, annual reports, etc. § 20 : p. 26 : l. 8.

Commission may, specific answer to complaints. § 20 : p. 26 : l. 13.

REQUIRED.

Initial carrier may recover from connecting line, etc., amount it is required to pay for loss, etc., to property by or on connecting line. § 20 : p. 29 : l. 15.

REQUIREMENT.

Report of Commission shall contain decision, order, or requirement in premises. § 14 : p. 18 : l. 29.

Venue of suits brought, etc., to set aside, annul, or suspend any order or requirement of Commission shall be in district where carrier, etc., has principal operating office, etc. § 16 : p. 23 : l. 7.

[The references are to sections, pages, and lines] .

REQUIREMENT (Continued).

After a decision, order, or requirement has been made by Commission any party thereto may make application for rehearing, etc. § 16 a : p. 24 : l. 19.

No such application shall excuse carrier from complying with or obeying decision, order, or requirement of Commission. § 16 a : p. 24 : l. 28.

Commission may reverse, etc., original decision, order, or requirement if in any respect unjust or unwarranted. § 16 a : p. 24 : l. 37.

RESOLUTION.

Joint Resolution of June 30, 1906. This provides that the Act of June 29, 1906, shall take effect and be in force sixty days after its approval by the President of the United States. (The date of the taking effect of the Act is, therefore, Aug. 28, 1906.) Joint Resolution June 30, 1906. § 1 : p. 32 : l. 19.

RESTRAIN.

Commission may petition Court to, violation of Act, etc. Elkins Act. § 3 : p. 37 : l. 6.

RESTRAINING.

No injunction, interlocutory order, or decree shall be granted suspending or restraining the enforcement of order of Commission except on hearing after not less than five days' notice to the Commission. § 16 : p. 23 : l. 37.

REVERSE.

Commission on rehearing may reverse, change, or modify original decision, order, etc. § 15 : p. 19 : l. 31. § 16 a : p. 24 : l. 38.

REVERSING.

Any decision, order, etc., reversing, etc., original determination of Commission shall be subject to same provisions as an original order. § 16 a : p. 24 : l. 40.

REVIEW.

In any equity suit in Circuit Court of United States under Interstate Commerce Act of Feb. 4, 1887, or any other Acts having a like purpose that hereafter may be enacted in which United States is complainant, etc., in which Attorney-General has filed a certificate of public importance in accordance with the Expediting Act of Feb. 11, 1903, the Judges sitting in such case shall, if divided in opinion, certify the case to the Supreme Court for review, etc. Act Feb. 11, 1903. § 1 : p. 39 : l. 16.

RIGHT.

Nothing in Section 20 shall deprive holder of receipt or bill of lading of any remedy or right of action which he has under existing law. § 20 : p. 29 : l. 9.

[The references are to sections, pages, and lines]

RIGHTS.

Rights already accrued not affected by this Act. Act Feb. 19, 1903. § 4 : p. 38 : l. 21.

ROAD.

Term "railroad" to include all the road in use, etc. § 1 : p. 6 : l. 5.

Forfeitures provided in this Act recoverable in civil suits in name of United States brought in district where carrier has principal operating office, or in any district through which the road of the carrier runs. § 16 : p. 22 : l. 7.

ROUTE.

Schedules shall show all rates, fares, and charges for transportation between different points on carrier's own route and between points on own route and on route of any other carrier by railroad, by pipe line, or by water when a through route and joint rate have been established. § 6 : p. 9 : l. 44, 45.

ROUTE, THROUGH.

Schedules must be printed, etc., showing rates, etc., of transportation between points on own route of carrier and points on route of any other carrier by water when a through route and joint rate have been established. § 6 : p. 10 : l. 1.

If a through route has been established but no joint rate, the several carriers in such through route shall file, publish, etc., the separately established rates, fares, and charges applied to the through transportation. § 6 : p. 10 : l. 2.

Commission may establish through routes and maximum joint rates, etc., and the terms and conditions under which such through routes shall be operated when necessary to give effect to any provision of this Act and the carriers complained of have refused or neglected to voluntarily establish such through routes and joint rates, provided no reasonable or satisfactory through route exists. § 15 : p. 19 : l. 42, 45. § 15 : p. 20 : l. 3, 4.

Above provision shall apply when one of the connecting carriers is a water line. § 15 : p. 20 : l. 5.

ROUTES.

It shall be the duty of every carrier subject to the provisions of this Act to provide and furnish such transportation upon reasonable request therefor, and to establish through routes and just and reasonable rates applicable thereto. § 1 : p. 6 : l. 22.

RULE.

No rule, etc., shall exempt carrier, etc., from liability for loss, etc., on connecting lines on through shipments. § 20 : p. 29 : l. 4.
See "Receipt."

[The references are to sections, pages, and lines]

RULES.

As to procedure before Commission. § 17 : p. 24 : l. 43. § 17 : p. 25 : l. 5, 6.

Applications for rehearing shall be governed by such general rules as Commission may establish. § 16 a : p. 24 : l. 25.

As to service of notices. § 17 : p. 25 : l. 8.

RULES AND REGULATIONS.

See "Receipt."

S

SAFETY.

Commission shall hear and investigate as to safety and practicality of switch connection applied for by shipper, etc. § 1 : p. 8 : l. 13.

SAILORS.

Passes to inmates of, Homes, etc. § 1 : p. 6 : l. 45.

SALARIES.

Annual salary of each Commissioner, \$7,500. § 18 : p. 25 : l. 20.

Increased to \$10,000 annually. § 24 : p. 31 : l. 30.

Salaries payable in same manner as Judges of Courts of United States. § 18 : p. 25 : l. 20.

Manner of payment of their salaries shall be as already provided by law. § 24 : p. 31 : l. 32.

Salary of Secretary, \$3,500. § 18 : p. 25 : l. 23.

Salary of Secretary payable in like manner as Judges of Courts of United States. § 18 : p. 25 : l. 23.

Annual report shall show salaries paid each class of employees. § 20 : p. 26 : l. 21.

SATISFY.

Carrier to, complaint. § 13 : p. 18 : l. 5.

SCHEDULES.

Every common carrier, etc., shall file with Commission and print and keep open to public inspection, schedules, etc. § 6 : p. 9 : l. 42.

Shall show all the rates, fares, and charges for transportation between different points on its own route and between points on its own route and points on the route of any other carrier by railroad, by pipe line, or by water when a through route and joint rate have been established. § 6 : p. 9 : l. 42.

If no joint rate established over through route carriers, etc., shall file, print, etc., the separately established rates, fares, and charges applied to the through transportation. § 6 : p. 10 : l. 2.

[The references are to sections, pages, and lines]

SCHEDULES (Continued).

The schedules shall plainly state

the places between which property and passengers will be carried,
the classification of freight in force,

shall also state separately

all terminal charges, storage charges, icing charges,

all other charges which the Commission may require,

all privileges or facilities granted or allowed

any rules or regulations which in any wise change, affect, or
determine any part or the aggregate of such aforesaid rates,
fares, and charges,

or the value of the service rendered to the passenger, shipper, or
consignee. § 6 : p. 10 : l. 7.

Such schedules shall be plainly printed in large type,

copies for use of public shall be kept posted

in two public and conspicuous places

in every depot, station, or office of such carrier

where passengers or freight, respectively, are received for trans-
portation,

in such form

that they shall be accessible to the public

and can be conveniently inspected.

The provisions of this section shall apply to all traffic, transpor-
tation, and facilities defined in this Act. § 6 : p. 10 : l. 18.

Schedules shall be printed and kept open to public inspection on
freight carried through a foreign country to any place in the
United States. § 6 : p. 10 : l. 27.

Such schedules shall show

the through rates established and charged to all points in United
States beyond the foreign country to which carrier accepts
freight for shipment. § 6 : p. 10 : l. 32.

If the through rate on such freight not made public as required by
Act it is subject to customs duty as if of foreign production.
§ 6 : p. 10 : l. 37.

Changes proposed to be made in, then in force shall be plainly
stated; also time when changed rates, etc., will go into effect.
§ 6 : p. 11 : l. 2.

New schedules must be printed showing proposed changes or they
shall be plainly indicated on schedules in force and kept open
to public inspection at the time, etc. § 6 : p. 11 : l. 6.

Commission may determine form in which the schedules required
by this section to be kept open to public inspection shall be
prepared, etc. § 6 : p. 11 : l. 30.

Commission may modify requirements of this section as to publish-
ing, posting, filing, etc. § 6 : p. 11 : l. 8.

Unlawful by change of time schedule, etc., to prevent carriage of
freights from being continuous, etc. § 7 : p. 12 : l. 17.

[The references are to sections, pages, and lines]

SCHEDULES (Continued).

Copies of schedules, etc., shall be preserved as public records, etc.
§ 16 : p. 24 : l. 3.

Copies of or extracts from any of said schedules, etc., certified shall be received in evidence with like effect as originals. § 16 : p. 24 : l. 13.

Forfeiture in addition to other prescribed penalty for receiving, etc., rebate or offset against regular charges, etc., as fixed by the schedules of rates provided for in this Act. Elkins Act. § 1 : p. 36 : l. 13.

SEAL.

Copies of schedules, tariffs, contracts, etc., or extracts from, etc., certified by Secretary of Commission under seal shall be received in evidence with like effect as the originals. § 16 : p. 24 : l. 16.

Commission shall have official seal which shall be judicially noticed.
§ 17 : p. 25 : l. 15.

SECRETARIES.

Passes to certain travelling railroad. § 1 : p. 6 : l. 35.

SECRETARY.

The Secretary of Commission shall preserve copies of schedules, tariffs, contracts, statistics, tables, etc., contained in annual reports of carriers as public records. § 16 : p. 24 : l. 9.

Copies of or extracts from above or from reports made public records as aforesaid when certified by Secretary under seal of Commission shall be received in evidence, etc. § 16 : p. 24 : l. 16.

Annual salary \$3,500, payable in like manner as Judges of Courts of United States. § 18 : p. 25 : l. 23.

SECTIONS. REFERENCES TO OTHER.

Section 1. Reference to Section 13 of Act. § 1 : p. 8 : l. 11.

Reference to Section 15 of Act. § 1 : p. 8 : l. 16.

Section 15. Reference to transportation as defined in Section 1.
§ 15 : p. 19 : l. 9.

Section 16. Reference to complaint under Section 13 of Act. § 16 : p. 20 : l. 24.

Section 16. Reference to order made under Section 15 of Act.
§ 16 : p. 21 : l. 42.

Section 16. Reference to Expediting Act of Feb. 11, 1903. § 16 : p. 23 : l. 19.

Section 16. Reference to Act of Feb. 4, 1887, and amendments.
§ 16 : p. 23 : l. 26.

Section 22. Reference to joint rates, fares, and charges referred to in Section 6. § 22 : p. 30 : l. 32.

Reference to Section 6 of Act. § 22 : p. 30 : l. 26.

Reference to Section 10 of Act. § 22 : p. 30 : l. 40.

[The references are to sections, pages, and lines]

SECTIONS, REFERENCES TO OTHER (Continued).

Section 22. Reference to provisions of Section 10 of Act which shall apply to violation of requirements of this section as to joint interchangeable five-thousand-mile tickets. § 22 : p. 30 : l. 42.

Reference to Act of Feb. 14, 1903, establishing Department of Commerce and Labor. Act June 30, 1906. § 1 : p. 34 : l. 1.

Reference to Expediting Act of Feb. 11, 1903. Elkins Act. § 3 : p. 38 : l. 15.

Reference to Act of July 2, 1890, the Sherman Anti-Trust Act. Act Feb. 11, 1903. § 1 : p. 38 : l. 32.

Reference to Act of Feb. 4, 1887, the Interstate Commerce Act, or any other Acts having a like purpose that hereafter may be enacted. Act Feb. 11, 1903. § 1 : p. 38 : l. 34.

SECURITY.

Court may issue writ of peremptory mandamus notwithstanding question of fact as to proper compensation is raised by pleadings upon such terms as to security, etc., as Court may think proper. § 23 : p. 31 : l. 20.

SELF-INCRIMINATING TESTIMONY.

See also "Witnesses."

Witness not excused from testifying, etc., because may tend to criminate him. § 9 : p. 13 : l. 14. § 12 : p. 16 : l. 40. Act Feb. 11, 1893. § 1 : p. 33 : l. 6. Elkins Act. § 3 : p. 37 : l. 45.

Such evidence shall not be used against such person testifying, etc., on the trial of any criminal proceeding. § 9 : p. 13 : l. 16. § 12 : p. 16 : l. 40.

No person shall be prosecuted or subjected to any penalty or forfeiture for or on account of such testimony, production of evidence, documentary or otherwise, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 7. Elkins Act. § 3 : p. 38 : l. 3.

Perjury excepted. Act Feb. 11, 1893. § 1 : p. 33 : l. 14.

All existing laws relating to attendance of witnesses, production of evidence, and compelling of testimony under Act and amendments shall apply to all proceedings and hearings under this Act. Act June 29, 1906. § 9 : p. 32 : l. 7.

The immunity provision in the Act of Feb. 11, 1893, etc., shall extend only to a natural person who, in obedience to a subpoena, gives testimony under oath or produces evidence, documentary or otherwise, under oath. Act June 30, 1906. § 1 : p. 33 : l. 28.

SENATE.

The two new Commissioners appointed by President to be confirmed by Senate. § 24 : p. 31 : l. 35.

[The references are to sections, pages, and lines]

SERVED.

If it appears on such hearing as Court may determine necessary that Order of Commission, other than for payment of money, was regularly made and duly served, etc., Court shall enforce obedience to such Order, etc. § 16 : p. 22 : l. 34. See § 16 : p. 23 : l. 7, 17.

SERVICE.

The value of service rendered passenger, shipper, or consignee shall be stated in schedules. § 6 : p. 10 : l. 17.

Commission may, after hearing, on complaint, determine maximum reasonable charge for any service connected with transportation rendered by owner of property. § 15 : p. 20 : l. 8.

Order of Commission shall be forthwith served by mailing copy to any one of principal officers or agents of carrier at his usual place of business. § 16 : p. 21 : l. 27.

Of notices. § 17 : p. 25 : l. 8.

Petition to United States Courts to enforce Order of Commission shall be served upon the carrier in such manner as the Court may direct. § 16 : p. 22 : l. 27.

Commission may make general rules, etc., as to service of notice, etc. § 17 : p. 25 : l. 8.

Question of fact raised in writ of mandamus as to proper compensation to common carrier for the service. § 23 : p. 31 : l. 17.

All charges made for any service rendered or to be rendered in transportation of passengers or property shall be just and reasonable. § 1 : p. 6 : l. 24.

SERVICES.

Term "transportation" shall include all services in connection with receipt, delivery, elevation, etc., etc. § 1 : p. 6 : l. 16.

Every unjust and unreasonable charge for such service or any part thereof is prohibited and declared to be unlawful. § 1 : p. 6 : l. 28.

No greater or less compensation for any service rendered or to be rendered in transportation of passengers or property, etc., from one than from another for doing a like and contemporaneous service in transportation of like kind of traffic under substantially similar circumstances and conditions, etc. § 2 : p. 8 : l. 25, 30.

Shall not charge, etc., greater, less, or different compensation for transportation of passengers or property or for any service in connection therewith. § 6 : p. 11 : l. 42.

SESSIONS.

General sessions of Commission shall be in City of Washington. § 19 : p. 25 : l. 41.

Commission may hold special sessions in any part of United States. § 19 : p. 25 : l. 44.

SET ASIDE.

Orders of Commission may be, etc., by Courts. § 15 : p. 19 : l. 31.
§ 16 : p. 23 : l. 7, 18.

Venue of suits brought to enjoin, set aside, etc., any Order, etc., of Commission. § 16 : p. 23 : l. 7.

SEVEN.

Terms of Commissioners to be for seven years. § 24 : p. 31 : l. 29.

See § 11 : p. 25 : l. 25.

SEVERALLY, JOINTLY OR.

Person inducing carrier to discriminate unjustly in his favor as against any other consignor or consignee in transportation of property, etc., shall be liable together with said common carrier jointly or severally in action on case, for all damages, etc. § 10 : p. 15 : l. 10.

SHEET.

Annual report of carrier shall include an annual balance sheet. § 20 : p. 26 : l. 29.

SHIPMENT.

The Act extended to transportation, etc., partly by railroad and partly by water when both are used under a common control, management, or arrangement for a continuous carriage or shipment, etc. § 1 : p. 5 : l. 15.

Term "transportation" shall include all instrumentalities and facilities of shipment, etc. § 1 : p. 6 : l. 14.

Schedules to be posted where freight is carried through foreign country to any place in United States, at every depot or office where such freight is received for shipment. § 6 : p. 10 : l. 32.

Unlawful to enter into any combination, contract, etc., to prevent carriage of freights from being continuous from place of shipment to place of destination. § 7 : p. 12 : l. 19.

No break of bulk, etc., shall prevent such carriage being treated as one continuous carriage from place of shipment to place of destination unless in good faith, etc. § 7 : p. 12 : l. 23.

SHIPPED.

Act applies to transportation of property shipped from any place in United States to foreign country and carried from such place to a port of transshipment. § 1 : p. 5 : l. 24.

Act applies to property shipped from a foreign country to any place in United States and carried to such place from a port of entry either in United States or adjacent foreign country. § 1 : p. 5 : l. 26.

Act shall not apply to transportation, etc., wholly within one State and not shipped to or from a foreign country through or to any State or Territory, etc. § 1 : p. 5 : l. 32.

[The references are to sections, pages, and lines]

SHIPPER.

May apply to carrier to construct, etc., a switch connection, etc. § 1 : p. 7 : l. 42.

If carrier fails to install, etc., such switch or connection shipper may complain to Commission. § 1 : p. : 8 : l. 10.

Schedules shall state separately the value of service rendered shipper, etc. § 6 : p. 10 : l. 17.

Nor shall any carrier, etc., extend to any shipper or person any privileges or facilities in the transportation of passengers or property, except such as are specified in such tariffs. § 6 : p. 12 : l. 3.

Penalty imposed on shipper, etc., who shall knowingly and wilfully by false billing, etc., obtain transportation for property at less than regular rates established and in force. § 10 : p. 14 : l. 18. See "Penalties."

Writ of Mandamus may issue to command movement of interstate traffic at same rates or upon as favorable terms to one shipper as to another. § 23 : p. 31 : l. 11.

Penalty on every person or corporation whether carrier or shipper for knowingly offering or receiving, etc., rebate, etc. § 1 : p. 35 : l. 7.

Forfeiture in addition to penalty prescribed where any person accepts knowingly rebate, etc. Elkins Act. § 1 : p. 36 : l. 1.

In proceedings under Elkins law Court shall have power to compel attendance of witnesses both on the part of the carrier and the shipper. Elkins Act. § 3 : p. 37 : l. 39.

Also to compel production of all books and papers, both of the carrier and the shipper. Elkins Act. § 3 : p. 37 : l. 43.

SIDE.

Private, track. Carrier shall construct, etc., switch connection with lateral branch line of railroad, or private side track, etc. § 1 : p. 7 : l. 45.

SIMILAR.

Unjust discrimination in transportation of like kind of traffic under substantially similar circumstances and conditions prohibited. § 2 : p. 8 : l. 31.

Charging or receiving greater compensation in the aggregate for transportation of passengers or of like kind of property, under substantially similar circumstances and conditions, for shorter than for longer distance over same line, etc., prohibited. § 4 : p. 9 : l. 14.

SIX.

All rebates or other considerations received, etc., for period of six years prior to commencement of action of forfeiture under Section 1 shall be included. Elkins Act. § 1 : p. 36 : l. 29.

SLEEPING.

Sleeping car companies included in the term "common carrier" as used in this Act. § 1 : p. 6 : l. 2.

Passes may be given to employees on sleeping cars. § 1 : p. 7 : l. 3.

SOCIETIES.

Passes to certain persons transported by charitable societies, etc. § 1 : p. 6 : l. 41.

SOLDIERS.

Passes may be given inmates of National or State Homes for Disabled Volunteer Soldiers and of Soldiers' and Sailors' Homes. § 1 : p. 6 : l. 44, 45.

Passes may be given to inmates of National or State Homes for Disabled Volunteer Soldiers, and of Soldiers' and Sailors' Orphan Homes. § 22 : p. 29 : l. 44.

SOLICIT.

To solicit, etc., any rebate, concession, or discrimination in transportation of property in interstate or foreign commerce, etc., prohibited. Elkins Act. § 1 : p. 34 : l. 38.

Penalty for any person or corporation who shall knowingly solicit such rebates, etc. Elkins Act. § 1 : p. 35 : l. 8. See "Penalties."

SOLICITATION.

Penalty for any person who shall by payment of money, etc., solicitation, or otherwise induce common carrier, etc., to discriminate unjustly in his favor as against any other consignor or consignee in the transportation of property. § 10 : p. 14 : l. 39. See "Penalties."

SPECIAL.

Unjust discrimination by means of special rate prohibited. § 2 : p. 8 : l. 22.

Commission with consent of Attorney-General may employ special counsel, etc. § 16 : p. 22 : l. 15.

Commission may hold special sessions in any part of United States. § 19 : p. 25 : l. 44.

Commission may require special reports within a specified period from carriers. § 20 : p. 27 : l. 12.

Special privileges as to amount of free baggage may be given in connection with mileage tickets of one thousand or more miles. § 22 : p. 30 : l. 14.

SPECIAL AGENTS.

Commission may employ special agents or examiners with authority under Order of Commission to inspect, etc., accounts, etc. § 20 : p. 27 : l. 32.

[The references are to sections, pages, and lines]

SPECIAL CASES.

Relief from long and short haul requirement in. § 4 : p. 9 : l. 22.

SPECIAL ORDER.

Without the special Order of Commission no application for rehearing shall excuse carrier for complying with or obeying any decision, Order, etc. § 16 a : p. 24 : l. 30.

SPECIFIC.

Commission may require, answer from carriers, etc. § 20 : p. 26 : l. 13.

SPECIFIED.

To extend no privileges, etc., except specified in tariffs. § 6 : p. 12 : l. 5.

SPURS.

The term "railroad" shall include all switches, spurs, tracks, etc. § 1 : p. 6 : l. 8.

STATE.

References to. § 1 : p. 5 : l. 16, 17. Elkins Act. § 1 : p. 36 : l. 5, 6. § 1 : p. 7 : l. 31, 32.

Act not to apply to transportation of passengers or property, etc., etc., wholly within one State, etc. § 1 : p. 5 : l. 32, 33.

Passes may be given to inmates of State Homes for Disabled Volunteer Soldiers. § 1 : p. 6 : l. 43.

The oath required by Section 20 may be taken before any person authorized, etc., by laws of the State in which taken. § 20 : p. 27 : l. 21.

Initial carrier made liable for damage to property for transportation from point in one State to point in another State, etc. § 20 : p. 28 : l. 42.

Nothing in Act shall prevent carriage, storage, or handling of property free or at reduced rates for the United States, State, or municipal governments, etc. § 22 : p. 29 : l. 33.

Passes, etc., may be given to inmates of State Homes for Disabled Volunteer Soldiers. § 22 : p. 29 : l. 43.

Unlawful to transport articles, etc., owned, etc., by carrier from State to State after May 1, 1908, except timber, etc. § 1 : p. 7 : l. 31.

STATE, INTRA.

Intra-state shipments not subject to Act. § 1 : p. 5 : l. 29.

STATION.

Schedules to be printed in two public and conspicuous places in every station, etc., where passengers or freight received for transportation. § 6 : p. 10 : l. 21.

[The references are to sections, pages, and lines]

STATISTICS.

Statistics, tables, and figures in annual reports of carriers shall be preserved as public records; shall be received as prima facie evidence, etc., by Commission and in all judicial proceedings; copies of or extracts from, etc., certified by Secretary under seal of Commission shall be received in evidence with like effect as originals. § 16 : p. 24 : l. 6.

STATUTE.

Nothing in this Act shall in any way abridge or alter remedies now existing at common law or by statute, etc. § 22 : p. 30 : l. 9.

STAY.

Application for rehearing shall not operate in any manner to stay or postpone enforcement of decision, order, or requirement of Commission. § 16 a : p. 24 : l. 29.

STIPULATION.

Deposition of witnesses in foreign country may be taken before person agreed upon by the parties by stipulation in writing to be filed with Commission. § 12 : p. 17 : l. 33.

STOCK.

Annual report of carriers shall show in detail amount of capital stock issued, amounts paid therefor, and the manner of payment for the same. § 20 : p. 26 : l. 15.

No person owning stock or bonds of common carrier subject to Act, etc., shall enter upon the duties of or hold such office. § 11 : p. 15 : l. 33.

STOCKHOLDERS.

Annual reports shall show the number of stockholders. § 20 : p. 26 : l. 18.

STOPPAGE.

No break of bulk, stoppage, or interruption, etc., shall prevent carriage of freights from being and being treated as one continuous carriage, etc., unless such break, stoppage, etc., made in good faith, etc. § 7 : p. 12 : l. 21, 24.

STORAGE.

Act not to apply to receiving, delivering, storage, etc., of property wholly within one State, etc. § 1 : p. 5 : l. 31.

Term "transportation" shall include all services in connection with storage, etc. § 1 : p. 6 : l. 18.

Property may be carried, stored, or handled free or at reduced rates for the United States, State, or municipal governments and other designated classes and persons. § 22 : p. 29 : l. 31.

[The references are to sections, pages, and lines]

SUBPŒNA.

See also "Witnesses."

Either of the members of the Commission may administer oaths and affirmations and sign subpœnas. § 17 : p. 25 : l. 17. See "Witnesses."

Further references to word. Act Feb. 11, 1893. § 1 : p. 32 : l. 36, 37. Act June 30, 1906. § 1 : p. 34 : l. 13. § 12 : p. 16 : l. 17, 32.

Immunity extended only to a natural person under subpœna, etc. Act June 30, 1906. § 1 : p. 34 : l. 11.

SUBSTANTIALLY.

Unjust discrimination in transportation of like kind of traffic under substantially similar circumstances and conditions forbidden. § 2 : p. 8 : l. 31.

Charging or receiving greater compensation in aggregate for transportation of passengers or of like kind of property under substantially similar circumstances and conditions for shorter than for longer distance, etc., forbidden. § 4 : p. 9 : l. 14.

SUCCESSORS.

As to terms of successors of present and additional Commissioners. § 24 : p. 31 : l. 43.

SUFFER.

Penalty for common carrier, officer, etc., who shall willingly suffer or permit to be done any Act, etc., prohibited or declared unlawful in this Act. § 10 : p. 13 : l. 26. See "Penalties."

Penalty for carrier, etc., or officer, etc., who shall willingly suffer or permit any act, etc., directed by this Act to be done, not to be so done, etc. § 10 : p. 13 : l. 30.

Penalty for any common carrier who shall willingly suffer or permit any person, etc., to obtain transportation for property at less than regular established rates, etc. § 10 : p. 14 : l. 7.

SUFFICIENT.

Duty of carrier to furnish switch connections, etc., provided sufficient business, etc. § 1 : p. 8 : l. 3.

SUIT.

Any person claiming to be damaged by common carrier, etc., may complain to Commission or bring suit, etc. § 9 : p. 12 : l. 44.

Court may compel production of books and papers of corporation or company party to any such suit. § 9 : p. 13 : l. 13.

Venue of suits brought in Circuit Courts against the Commission to enjoin, set aside, etc., any order or requirement. § 16 : p. 23 : l. 5.

Jurisdiction to hear and determine such suits is hereby vested in the Circuit Courts of the United States. § 16 : p. 23 : l. 18.

[The references are to sections, pages, and lines]

SUIT (Continued).

The Expediting Act of Feb. 11, 1903, made applicable to all such suits, etc. § 16 : p. 23 : l. 22.

Precedence shall be given to any suit in equity in the United States Circuit Court brought under the Commerce Act or any other Acts having a like purpose wherein the United States is complainant and in which Attorney-General files certificate, etc., of general public importance. Act Feb. 11, 1903. § 1 : p. 38 : l. 30. § 1 : p. 39 : l. 8.

Reasonable attorney's fee shall be taxed and collected as part of the costs of the suit if petitioner prevails in petition to force carrier to comply with Order for payment of money. § 16 : p. 21 : l. 4.

Joinder of parties in such suits. § 16 : p. 21 : l. 12, 16.

Venue of such suits. § 16 : p. 21 : l. 19.

Service of process in such suits. § 16 : p. 21 : l. 21.

Recovery in such suits. § 16 : p. 21 : l. 24.

SUITABLE.

Commission may hire suitable offices for its use. § 18 : p. 25 : l. 28.

SUMMON.

See "Witnesses."

SUPPLIES.

Commission may procure all necessary office supplies. § 18 : p. 25 : l. 30.

SUPREME COURT OF UNITED STATES.

Appeal from any action on petition to enforce Order of Commission other than for payment of money shall lie by either party to. § 16 : p. 22 : l. 44.

Such appeal shall not vacate or suspend the order appealed from. § 16 : p. 23 : l. 3.

Appeals to Supreme Court of United States in suits brought to enjoin, set aside, etc., Order of Commission, etc., shall have priority over all except criminal cases. § 16 : p. 23 : l. 33.

In a suit in equity in Circuit Court in which United States is complainant, etc., the Judges sitting if they are divided in opinion shall certify case to Supreme Court for review. Act Feb. 11, 1903. § 1 : p. 39 : l. 16.

Appeal in above case from the final decree of Circuit Court will lie only to the Supreme Court and must be taken within sixty days from entry thereof. Act Feb. 11, 1903. § 2 : p. 39 : l. 22.

Exception as to cases where appeal already taken to Circuit Court of Appeals. Act Feb. 11, 1903. § 2 : p. 39 : l. 24.

SURGEONS.

Free passes, etc., may be given to surgeons of common carrier subject to Act. § 1 : p. 6 : l. 35.

SURPLUS.

Annual report shall show surplus fund, if any. § 12 : p. 26 : l. 17.

SUSPEND.

Commission authorized to suspend or modify its Orders, etc. § 15 : p. 19 : l. 31. § 16 : p. 21 : l. 33.

Appeal from action of Circuit Court on petition to enforce Order of Commission other than for payment of money shall not vacate or suspend the Order appealed from. § 16 : p. 23 : l. 3.

Venue of suits brought to enjoin, suspend, etc., any Order of Commission. § 16 : p. 23 : l. 7.

Court may, etc., Orders of Commission. § 15 : p. 19 : l. 32. § 16 : p. 23 : l. 17, 18.

SUSPENDED.

Orders of Commission except for payment of money, etc., may continue in force for period of time prescribed in Order not exceeding two years, unless the same shall be suspended, etc., by Commission or by Court of competent jurisdiction. § 15 : p. 19 : l. 31, 32.

SWITCH.

Carriers shall construct, etc., switch connection, etc. § 1 : p. 7 : l. 44.

If common carrier fails to install and operate any such switch connection, etc., shipper may complain to Commission. § 1 : p. 8 : l. 12.

Commission shall determine safety, practicability, and justification thereof. § 1 : p. 8 : l. 13.

Commission shall determine reasonable compensation therefor and may make an Order, etc. § 1 : p. 8 : l. 14.

SWITCHES.

The term "railroad" shall include all switches, spurs, tracks, etc. § 1 : p. 6 : l. 8.

SYSTEM.

Commission may prescribe period of time within which all common carriers subject to Act shall have, etc., uniform system of accounts, and the manner in which such accounts shall be kept. § 20 : p. 26 : l. 37.

T**TABLES.**

The tables contained in annual reports of carriers shall be preserved as public records, etc.; shall be received as prima facie evidence, etc., by Commission and in all judicial proceedings; certified copies shall be received in evidence with like effect as originals. § 16 : p. 24 : l. 6.

[The references are to sections, pages, and lines]

TARIFF.**Joint.**

Names of the several carriers parties to any joint tariff shall be specified therein. § 6 : p. 11 : l. 15.

Each of the parties thereto other than the one filing the same shall file with Commission evidence of concurrence or acceptance, etc. § 1 : p. 11 : l. 16.

Where such evidence of concurrence or acceptance is filed, carriers filing same need not also file copies of tariffs in which named as parties. § 6 : p. 11 : l. 20.

TARIFFS.

Wilful failure to file, etc., or to observe, etc. Penalty. Elkins Act. § 1 : p. 34 : l. 31.

Commission may modify requirements of Section 6 as to publishing, posting, and filing tariffs, etc. § 6 : p. 11 : l. 12.

Carriers filing evidence of concurrence to any joint tariff need not file copies of tariffs in which named as parties. § 6 : p. 11 : l. 23.

Shall not charge, etc., greater, less, or different compensation, etc., than rates, etc., specified in tariff filed, etc., between points named in such tariffs, etc. § 6 : p. 11 : l. 43.

Shall not remit, etc., any portion of rates, etc., specified in tariffs nor extend to any shipper, etc., any privileges or facilities, etc., except such as are specified in such tariffs. § 6 : p. 12 : l. 5.

Joint.

Reference to. § 22 : p. 30 : l. 20, 42.

Production of.

Commission to have power to require by subpoena production of all books, papers, tariffs, etc. § 12 : p. 16 : l. 19.

Tariffs of rates, etc., to be preserved as public records. § 16 : p. 24 : l. 3, 9.

Copies of or extracts from any of said tariffs, etc., certified, etc., shall be received in evidence, etc. § 16 : p. 24 : l. 14.

No person excused from producing tariffs, books, etc., because of self-incriminating evidence. Act Feb. 11, 1893. § 1 : p. 32 : l. 34.

Penalty for person neglecting or refusing to produce tariffs, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 17. See "Penalties."

Transportation at less rate than that named in the tariffs published and filed prohibited. Elkins Act. § 1 : p. 35 : l. 2.

TAXED.

Reasonable attorney's fee to be taxed, etc., in petition to enforce Order for payment of money. § 16 : p. 21 : l. 3.

TELEGRAPH.

Passes, etc., may be given to linemen of telegraph companies. § 1 : 7 : l. 4.

TELEPHONE.

Passes, etc., may be given to linemen of telephone companies.
§ 1 : p. 7 : l. 4.

TEND.

Reference to. Act Feb. 11, 1893. § 1 : p. 33 : l. 5.

TERM.

Of imprisonment for offenses, etc., under Act. See "Penalties."
Of office of Commissioners, seven years. § 24 : p. 31 : l. 29. See
§ 11 : p. 15 : l. 25.
Of person appointed to fill vacancy for balance of unexpired term.
§ 24 : p. 32 : l. 2.
Definition of, "common carrier," "railroad," "transportation."
§ 1 : p. 6 : l. 1, 3, 13.

TERMINAL CHARGES.

The schedules shall state separately all terminal charges, etc. § 6 :
p. 10 : l. 11.

TERMINAL FACILITIES.

The term "railroad" in Act shall include all terminal facilities of
every kind used or necessary in transportation of persons or
property designated herein. § 1 : p. 6 : l. 8.
Common carrier not bound to give use of its tracks or terminal
facilities to another carrier engaged in like business. § 3 :
p. 9 : l. 8.

TERMS.

Of Commissioners. § 11 : p. 15 : l. 21.
Commission may prescribe terms and conditions of operating
through routes when necessary to give effect to any provision of
this Act and when the carriers complained of have refused or
neglected to voluntarily establish such through routes and joint
rates, provided no reasonable or satisfactory through route ex-
ists, and this provision shall apply when one of the connecting
carriers is a water line. § 15 : p. 19 : l. 44.
Mandamus may be issued commanding carrier to move traffic upon
terms or conditions as favorable as given by carrier for like
traffic, etc., to any other shipper. § 23 : p. 31 : l. 9.
Mandamus may issue notwithstanding question of fact as to proper
compensation is raised by pleadings upon such terms as to se-
curity, etc., as Court may think proper. § 23 : p. 31 : l. 20.
To construct, etc., switch connection upon reasonable terms. § 1 :
p. 7 : l. 44.
Commissioners originally appointed for term of two, three, four,
five, and six years, respectively, from Jan. 1, 1887. § 11 :
p. 15 : l. 20.

[The references are to sections, pages, and lines]

TERMS (Continued).

Their successors were appointed for terms of six years excepting persons chosen to fill a vacancy who were to be appointed only for unexpired time of Commissioner whom he should succeed. § 11 : p. 15 : l. 24.

Terms of Commissioners enlarged to seven years. § 24 : p. 31 : l. 29.

Two additional members appointed. § 24 : p. 31 : l. 36.

Terms of present Commissioners or of any successor appointed to fill a vacancy caused by death or resignation of any present Commissioners shall expire as heretofore provided by law. § 24 : p. 31 : l. 39.

The successors of the present Commissioners and the successors of the additional Commissioners herein provided for shall be appointed for full term of seven years, except that any person appointed to fill a vacancy shall be appointed only for unexpired term of Commissioner whom he shall succeed. § 24 : p. 31 : l. 43.

TERRITORY OF UNITED STATES.

References to. § 1 : p. 5 : l. 16, 17, 19, 33. § 1 : p. 7 : l. 31, 32. Elkins Act. § 1 : p. 36 : l. 5, 6.

TESTIFY ; TESTIFYING ; TESTIMONY.

See also "Witnesses."

Officers of defendant corporation or company in suits for damages may be compelled by Courts to testify. § 9 : p. 13 : l. 11.

The Commission shall have power to require by subpoena attendance and testimony of witnesses, etc. § 12 : p. 16 : l. 17.

In case of disobedience to subpoena of the Commission any party or the Commission may invoke aid of Court requiring attendance and testimony of witnesses, etc. § 12 : p. 16 : l. 27.

Any Circuit Court may issue an order requiring common carrier, etc., to appear before said Commission and give evidence. § 12 : p. 16 : l. 36.

The claim that such testimony, etc., may tend to criminate no excuse. § 12 : p. 16 : l. 39. See "Self-incriminating Testimony."

In proceedings under Elkins Act and Acts to regulate commerce the Circuit Court shall have power to compel attendance and testimony of witnesses. Elkins Act. § 3 : p. 37 : l. 38, 40.

Self-crimination shall not excuse such person from testifying, etc. Act Feb. 11, 1893. § 1 : p. 32 : l. 33. Elkins Act. § 3 : p. 38 : l. 1. See "Self-incriminating Testimony."

Perjury excepted from immunity granted witness testifying. Act Feb. 11, 1893. § 1 : p. 33 : l. 13.

Immunity granted only to a natural person who in obedience to subpoena gives testimony under oath, etc. Act June 30, 1906. § 1 : p. 34 : l. 13.

[The references are to sections, pages, and lines]

TESTIFY ; TESTIFYING ; TESTIMONY (Continued).

Testimony of any witness may be taken by deposition at instance of a party, etc., at any time after cause, etc., is at issue on petition and answer. § 12 : p. 16 : l. 44.

Commission may order testimony taken by deposition at any stage of such proceeding, etc. § 12 : p. 17 : l. 3.

Testimony of person giving deposition shall be reduced to writing by magistrate, etc., and shall be subscribed by the deponent. § 12 : p. 17 : l. 26.

All existing laws relating to attendance of witnesses, etc., and the compelling of testimony under the Act and amendments, etc., shall apply to any of the proceedings and hearings under this Act. Act June 29, 1906. § 9 : p. 32 : l. 8. See "Self-incriminating Testimony ;" "Evidence ;" "Witnesses ;" "Papers, Production of."

Special agents, etc., may receive testimony. § 20 : p. 28 : l. 35.

THROUGH.

Traffic carried through foreign country subject to Act. § 1 : p. 5 : l. 21. § 6 : p. 10 : l. 29.

THROUGH RATES.

Duty of carrier to establish. § 1 : p. 6 : l. 22.

Schedules must show the through rates established, etc., on traffic carried through foreign country. § 6 : p. 10 : l. 32.

If through rate not made public as required by Act such traffic subject to customs duties, etc. § 6 : p. 10 : l. 37.

THROUGH ROUTES.

Commission may establish through routes, etc. § 15 : p. 19 : l. 42.

Commission may establish maximum joint rates to be charged over through routes. § 15 : p. 19 : l. 42.

Commission may prescribe division of joint rates for through routes. § 15 : p. 19 : l. 43.

Commission may prescribe terms and conditions under which such through routes shall be operated when necessary to give effect to Act and carriers have refused, etc., voluntarily to establish such through routes, etc., provided no reasonable or satisfactory through route exists, and this provision shall apply when one of the connecting carriers is a water line. § 15 : p. 19 : l. 44. § 15 : p. 20 : l. 3, 4.

Schedules shall show rates, etc., between points on carrier's own route and points on route of any other carrier by railroad, by pipe line, or by water when a through route and joint rate have been established. § 6 : p. 10 : l. 1.

Duty of carrier to establish through routes and just and reasonable rates applicable thereto. § 1 : p. 6 : l. 22.

[The references are to sections, pages, and lines]

THROUGH ROUTES (Continued).

Where no joint rate over through route has been established, the several carriers on such through route shall file, etc., the separately established rates, etc., applied to the through transportation. § 6 : p. 10 : l. 6.

THROUGH TRANSPORTATION.

See "Through Routes."

TICKET.

All free tickets, etc., prohibited after Jan. 1, 1907, except to persons and classes designated. § 1 : p. 6 : l. 30. See further as to excepted classes. § 22 : p. 29 : l. 31.

TICKETS.

Mileage, excursion, and commutation tickets authorized. § 22 : p. 29 : l. 38.

Joint interchangeable five-thousand-mile tickets may be issued on certain conditions. § 22 : p. 30 : l. 12. See "Joint Interchangeable Mileage Tickets." See also "Passes."

TIMBER.

Prohibition against transporting commodities owned, etc., by carriers not to apply to, etc. § 1 : p. 7 : l. 34.

TIME.

Carriage of freights shall not be prevented from being continuous, etc., by change of time schedules, etc. § 7 : p. 12 : l. 17.

Period of time in which to establish uniform system of accounts may be fixed by Commission. § 20 : p. 26 : l. 35.

Commission may extend, for filing annual reports. § 20 : p. 26 : l. 45.

TRACKS.

Term "railroad" shall include all switches, spurs, tracks, etc., used or necessary in transportation of persons or property designated herein. § 1 : p. 6 : l. 8.

Common carrier not bound to give use of its tracks or terminal facilities to another carrier engaged in like business. § 3 : p. 9 : l. 8.

TRAFFIC.

Shipper tendering interstate traffic for transportation may apply for switch connections, etc. § 1 : p. 7 : l. 43.

Carrier shall furnish cars for movement of such traffic, etc. § 1 : p. 8 : l. 5.

Unjust discrimination in transportation of like kind of traffic under substantially similar circumstances and conditions prohibited. § 2 : p. 8 : l. 31.

Undue or unreasonable preference or advantage to any particular person, etc., or locality, or any particular description of traffic prohibited. § 3 : p. 8 : l. 39.

[The references are to sections, pages, and lines]

TRAFFIC (Continued).

To subject any particular person, etc., or locality, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage, forbidden. § 3 : p. 8 : l. 42.

Carrier shall afford all reasonable, proper, and equal facilities for interchange of traffic between their respective lines. § 3 : p. 9 : l. 2.

Provisions of Section 6 shall apply to all traffic, transportation, and facilities defined in this Act. § 6 : p. 10 : l. 25.

Common carrier, etc., shall file with Commission copies of all contracts, agreements, or arrangements with other common carriers in relation to any traffic affected by this Act to which it may be a party. § 6 : p. 11 : l. 27.

Commission may prescribe forms of accounts, etc., including accounts, records, and memoranda of the movement of traffic. § 20 : p. 27 : l. 26.

Mandamus may issue commanding movement of interstate traffic at same rates, etc., as charged, etc., to any other shipper. § 23 : p. 31 : l. 7. § 23 : p. 31 : l. 13.

Court may enjoin the carriage of passengers or freight traffic, etc., at less than published rates on file. Elkins Act. § 3 : p. 37 : l. 4.

The orders, writs, and process of the Court as above may be enforceable against the parties interested in the traffic as well as against the carrier, etc. Elkins Act. § 3 : p. 37 : l. 23.

Military traffic of Government. Reference to. § 7 : p. 12 : l. 10.

Provisions of this Act shall not apply to traffic (transportation of passengers or property, etc.) wholly within one State. § 1 : p. 5 : l. 29.

TRAINS.

Passes to newsboys on. § 1 : p. 7 : l. 6.

TRANSACTION.

No person shall be prosecuted, etc., on account of any transaction, etc., concerning which he may testify. Act Feb. 11, 1893. § 1 : p. 33 : l. 8. Elkins Act. § 3 : p. 38 : l. 4.

Court in proceedings under Elkins Act and Acts to regulate commerce may compel production of all books and papers, both of carrier and of shipper, which relate directly or indirectly to such transaction. Elkins Act. § 3 : p. 37 : l. 44.

TRANSACTIONS.

Punishment for false entries in accounts, records, or memoranda of all facts and transactions appertaining to carrier's business. § 20 : p. 28 : l. 8.

[The references are to sections, pages, and lines]

TRANSCRIPT.

Initial carrier on through shipments may have recourse upon carrier responsible for loss or damage to property as may be evidenced by any receipt, judgment, or transcript thereof. § 20 : p. 29 : l. 17.

TRANSFER IN TRANSIT.

See "Transit."

TRANSIT.

Term "transportation" shall include all services in connection with the transfer in transit, etc., of property transported. § 1 : p. 6 : l. 17.

TRANSMITTED.

Annual report of Commission to be, to Congress. § 21 : p. 29 : l. 21.

TRANSPORT.

Unlawful after May 1, 1908, for any railroad company to transport commodities, etc., except timber and manufactured products thereof, manufactured, mined, or produced by it or under its authority, or which it may own in whole or in part, or in which it may have any interest directly or indirectly, except such articles or commodities as may be necessary and intended for its use in the conduct of its business as a common carrier. § 1 : p. 7 : l. 30.

References to. § 10 : p. 14 : l. 22. § 23 : p. 31 : l. 13. Elkins Act. § 1 : p. 36 : l. 4.

TRANSPORTATION.

References to.

§ 1 : p. 5 : l. 5, 11, 12, 23, 30.	§ 10 : p. 14 : l. 8, 10, 19, 27, 29,
§ 1 : p. 6 : l. 9, 11, 13, 21, 25,	43.
33, 42.	§ 15 : p. 19 : l. 8, 23.
§ 1 : p. 7 : l. 22, 43.	§ 15 : p. 20 : l. 9.
§ 2 : p. 8 : l. 26, 30.	§ 18 : p. 25 : l. 34.
§ 4 : p. 9 : l. 12, 24.	§ 20 : p. 28 : l. 41.
§ 6 : p. 9 : l. 43.	§ 22 : p. 29 : l. 6, 13, 37, 42.
§ 6 : p. 10 : l. 6, 22, 25.	§ 22 : p. 30 : l. 36.
§ 6 : p. 11 : l. 35, 41.	§ 23 : p. 31 : l. 14.
§ 6 : p. 12 : l. 3, 10.	Elkins Act. § 1 : p. 34 : l. 40.
§ 10 : p. 13 : l. 41.	§ 1 : p. 35 : l. 24. § 1 : p. 36 :
	l. 2, 12.

The term "transportation" shall include

Cars and other vehicles,

All instrumentalities and facilities of shipment or carriage, irrespective of ownership or of any contract, express or implied, for the use thereof,

[The references are to sections, pages, and lines]

TRANSPORTATION (Continued).

The term "transportation" shall include all services in connection with the receipt, delivery, elevation, transfer in transit, ventilation, refrigeration or icing, storage, and handling of property transported. § 1 : p. 6 : l. 13.

The duty of every carrier subject to Act to provide and furnish such transportation upon reasonable request therefor and to establish through routes and just and reasonable rates applicable thereto. § 1 : p. 6 : l. 19.

The provisions of Section 6 as to schedules, etc., shall apply to all traffic, transportation, and facilities defined in this Act. § 6 : p. 10 : l. 25.

Persons and classes to whom free transportation may be given. § 1 : p. 6 : l. 33.

All rates, fares, and charges for transportation, etc., shall be printed, filed, and kept open to public inspection. § 6 : p. 9 : l. 43.

No carrier unless otherwise provided in this Act shall engage, etc., in transportation, etc., unless the rates, etc., have been filed and published in accordance with the Act. § 6 : p. 11 : l. 34.

Transportation wholly within a State not subject to Act. § 1 : p. 5 : l. 32.

TRANSPORTATION COMPANY.

References to. § 20 : p. 28 : l. 40. § 20 : p. 29 : l. 2, 6, 10, 13.

TRANSPORTATION, THROUGH.

When no joint rate over through route the separately established rates, etc., applied to the through transportation must be filed, printed, and kept open to public inspection. § 6 : p. 10 : l. 6.

TRANSPORTED.

No carrier shall engage in transportation, etc., unless the rates, etc., upon which the same are transported have been filed and published, etc. § 6 : p. 11 : l. 37.

Commission may determine maximum charge for services, etc., connected with transportation furnished by owner of property transported under Act. § 15 : p. 20 : l. 7.

See also § 1 : p. 6 : l. 19, 41. § 15 : p. 20 : l. 7. § 22 : p. 29 : l. 36.

Elkins Act. § 1 : p. 35 : l. 2, 24. Elkins Act. § 1 : p. 36 : l. 2.

TRANSHIPMENT.

Reference to. § 1 : p. 5 : l. 25.

TRAVELLING.

Passes to certain, secretaries, etc. § 1 : p. 6 : l. 35.

TREASURY.

Forfeitures provided for in this Act shall be payable into the treasury of the United States. § 16 : p. 22 : l. 4.

[The references are to sections, pages, and lines]

TRIAL.

Self-incriminating testimony shall not be used against person testifying on the trial of any criminal proceeding. § 9 : p. 13 : l. 17.

On the trial of suit based on the order of Commission for payment of money, the findings and order of the Commission shall be prima facie evidence, etc. § 16 : p. 20 : l. 41.

TRUE.

Wilful failure, etc., to make, entries, etc. Penalty. § 20 : p. 28 : l. 7.

TRUSTEE.

Penalty on trustee of corporation common carrier for violation of Act. § 10 : p. 13 : l. 22. See "Penalties."

Penalty on trustee of carrier for failure or neglect to obey order of Commission under Section 15 of Act. § 16 : p. 21 : l. 40.

Any act or omission of corporation common carrier which if done by a trustee thereof will be a misdemeanor shall be a misdemeanor of the corporation. Elkins Act. § 1 : p. 34 : l. 22.

TRUSTEES.

The provisions as to Commission prescribing forms of accounts, prohibition against keeping any other accounts, etc., submission to special agents for examination, etc., shall apply to receivers of carriers and operating trustees. § 20 : p. 27 : l. 36.

TWO.

Two new Commissioners to be appointed. § 24 : p. 31 : l. 29.

U**UNDUE.**

Undue or unreasonable preference to any person, etc., locality, particular description of traffic, etc., unlawful. § 3 : p. 8 : l. 37.

To subject any particular person, etc., locality, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever, unlawful. § 3 : p. 8 : l. 42.

UNDULY.

If Commission determines after full hearing on complaint, etc., that any regulations or practices whatsoever, etc., are unjust, etc., or unduly preferential or prejudicial, it may determine what regulation or practice is just, etc., and make an Order that the carrier shall conform to the regulation or practice so prescribed. § 15 : p. 19 : l. 12.

[The references are to sections, pages, and lines]

UNEXPIRED.

Commissioner appointed to fill vacancy shall be appointed only for unexpired term of Commissioner whom he shall succeed. § 24 : p. 32 : l. 2.

UNIFORM.

Commission may prescribe uniform system of accounts, etc. § 20 : p. 26 : l. 37.

UNITED STATES.

Reference to. § 1 : p. 5 : l. 16, 17, 18, 20, 21, 22, 24, 27, 28.

Civil suits in name of United States. § 16 : p. 22 : l. 5.

Carriage, storage, or handling of property for the United States, etc., free or at reduced rates. § 22 : p. 29 : l. 33.

UNJUST.

Every unjust and unreasonable charge for service or any part thereof rendered prohibited and declared unlawful. § 1 : p. 6 : l. 27.

Unjust discrimination defined, prohibited, and declared to be unlawful. § 2 : p. 8 : l. 33.

Regulations and practices affecting rates, etc., found by Commission to be unjust, unreasonable, unjustly discriminatory, etc., may be prohibited by Commission, and just, fair, and reasonable regulation or practice, etc., may be prescribed by Commission to be thereafter followed by carrier. § 15 : p. 19 : l. 11.

If original decision, order, or requirement is found by Commission to be in any respect unjust or unwarranted, Commission may reverse, etc., same. § 16 a : p. 24 : l. 37.

Commission having found after full hearing on complaint, etc., that any rates, charges, etc., are unjust or unreasonable, etc., may fix maximum to be thereafter followed. § 15 : p. 19 : l. 11.

UNJUSTLY.

Rates, etc., found unjustly discriminatory may be prohibited and Commission may fix maximum. § 15 : p. 19 : l. 12.

Penalties for inducing carrier to discriminate unjustly, etc. § 10 : p. 14 : l. 41, 44.

UNLAWFUL.

To transport articles, etc., except timber, etc., owned, etc., by carrier, etc., after May 1, 1908. § 1 : p. 7 : l. 30.

Additional penalty of imprisonment for person convicted of unlawful discrimination in rates, etc. § 10 : p. 13 : l. 40.

Discrimination in rates and charges between connecting lines. § 3 : p. 9 : l. 5.

Division of aggregate or net proceeds of earnings of railroads or any portion thereof. § 5 : p. 9 : l. 33.

To demand, collect, or receive, etc., greater or less compensation than the published rate for transportation under joint interchangeable mileage tickets. § 22 : p. 30 : l. 32, 40.

[The references are to sections, pages, and lines]

UNLAWFUL (Continued).

- Penalty for wilfully doing, willingly suffering to be done, anything in Act declared to be unlawful. § 10 : p. 13 : l. 27.
- Pooling of freights of different and competing railroads declared unlawful. § 5 : p. 9 : l. 32.
- Preventing carriage of freights from being continuous, etc., by change of time schedule, etc., or by other means or devices. § 7 : p. 12 : l. 14.
- Charging more for shorter than for longer distance over same line in same direction, etc. § 4 : p. 9 : l. 10.
- To give, etc., or to receive, etc., any rebate, concession, or discrimination. Penalty for knowingly doing same. Elkins Act. § 1 : p. 34 : l. 37. § 1 : p. 35 : l. 7.
- To keep any other accounts, records, or memoranda than those prescribed or approved by Commission. Penalty. § 20 : p. 27 : l. 29. § 20 : p. 28 : l. 9.
- Giving undue or unreasonable preference or advantage to any person, etc., locality, or any particular description of traffic, etc. § 3 : p. 8 : l. 35.
- To subject any particular person, etc., locality, or any particular description of traffic to any undue or unreasonable prejudice or disadvantage, etc. § 3 : p. 8 : l. 40.
- Unjust discrimination defined and declared to be unlawful. § 2 : p. 8 : l. 33.
- Unjust and unreasonable charges, etc., prohibited and declared to be unlawful. § 1 : p. 6 : l. 29.

UNREASONABLE.

- Unreasonable charges, etc., prohibited. § 1 : p. 6 : l. 27.
- Undue or unreasonable preferences, etc., to any particular person, etc., locality, or any particular description of traffic, etc., prohibited. § 3 : p. 8 : l. 37.
- Subjecting any particular person, etc., locality, or any particular description of traffic, to any undue or unreasonable prejudice, etc., prohibited. § 3 : p. 8 : l. 42.

UNWARRANTED.

- If original Order, etc., is in any respect unjust or unwarranted, Commission may reverse, etc., same. § 16 a : p. 24 : l. 39.

USE.

- Articles, etc., intended for, etc., of carrier may be transported by it although owned, etc., by it. § 1 : p. 7 : l. 39.
- Term "transportation" includes cars and other vehicles and instrumentalities and facilities of shipment or carriage irrespective of ownership or of any contract, etc., for the use thereof. § 1 : p. 6 : l. 16.

[The references are to sections, pages, and lines]

USE (Continued).

Commission may determine, after hearing on complaint, reasonable maximum charge for the use of the instrumentality furnished by owner of property. § 15 : p. 20 : l. 14.

Term "railroad" to include all the road in use, etc. § 1 : p. 6 : l. 5.

USED.

Reference to. § 1 : p. 6 : l. 1, 3, 4, 9, 11.

USES.

Penalty for person who, a pass, etc., in violation of Act. § 1 : p. 7 : l. 21.

USUAL.

Order of Commission served by mailing copy thereof to any one of principal officers or agents of carrier at his usual place of business. § 16 : p. 21 : l. 29.

V

VACANCIES.

Appointments for, etc. § 24 : p. 31 : l. 42. § 24 : p. 32 : l. 1.

VACANCY.

Any person appointed to fill vacancy on Commission appointed only for unexpired term, etc. § 24 : p. 32 : l. 1.

In Commission not to impair powers of remaining Commissioners. § 11 : p. 15 : l. 37.

VACATE.

Appeal from action on petition to enforce Order of Commission shall not vacate or suspend Order appealed from. § 16 : p. 23 : l. 3.

VALUABLE.

Person knowingly receiving valuable consideration as rebate, etc., liable to forfeiture of three times value of consideration, etc., received. § 1 : p. 36 : l. 11, 23.

VALUE.

Annual report of carrier to show in detail cost and value of carrier's property, franchises, and equipments. § 20 : p. 26 : l. 20.

Person accepting rebate to forfeit in addition to other penalty three times the value received. Elkins Act. § 1 : p. 36 : l. 17, 32.

The published schedules shall state separately the value of the service rendered, etc. § 6 : p. 10 : l. 16.

Penalty for inducing carrier to discriminate unjustly by payment of money or other thing of value, etc. § 10 : p. 14 : l. 39.

[The references are to sections, pages, and lines]

VALUE (Continued).

Annual report of Commission to contain data, etc., of value in determination of interstate commerce questions. § 21 : p. 29 : l. 24.

VEHICLES.

The term "transportation" shall include cars and other vehicles, etc. § 1 : p. 6 : l. 13.

VENTILATION.

Term "transportation" shall include all services in connection with ventilation, etc., of property transported. § 1 : p. 6 : l. 18.

VENUE.

Venue of suits to enjoin, set aside, etc., Order of Commission shall be in district where carrier, etc., has principal operating office, or if Order made against two or more carriers, in district where any one has principal operating office. § 16 : p. 23 : l. 5.

If carrier has principal operating office in District of Columbia, the venue shall be in the district where said carrier has its principal office. § 16 : p. 23 : l. 17.

VIOLATING.

Reference to. § 1 : p. 7 : l. 16.

VIOLATION.

Commissioner may order carrier to desist from, of Act. § 15 : p. 19 : l. 20.

Carrier liable in damages for violation of Act. § 8 : p. 12 : l. 34, 36.
See also "Penalties."

Carrier relieved of liability only for particular, of law by reparation. § 13 : p. 18 : l. 10.

Where regulations, etc., are found to be in violation of Act, etc., the Commission may prescribe, etc., just, etc., regulation and order carrier to desist from such violation. § 15 : p. 19 : l. 13, 20.

Every distinct violation of Order made under Section 15 a separate offense. § 16 : p. 21 : l. 44.

In case of a continuing violation as above, each day a separate offense. § 16 : p. 22 : l. 2.

Writ of Mandamus for violation of any provisions of Act or any Act supplementary thereto or amendatory thereof. § 20 : p. 28 : l. 29.

Writ of Mandamus to have interstate traffic moved at same rates or upon equally favorable terms and conditions to one as to another shipper. § 23 : p. 31 : l. 12.

Self-crimination no excuse from attendance and testimony of witnesses in any cause or proceeding, criminal or otherwise, based upon or growing out of any alleged violation of Act or of any amendment thereof. Act Feb. 11, 1893. § 1 : p. 33 : l. 1.

[The references are to sections, pages, and lines]

VIOLATION (Continued).

Every violation of Section 1 of Elkins Act shall be prosecuted in United States Courts having jurisdiction of crimes within district in which such violation was committed or through which the transportation may have been conducted. Elkins Act. § 1 : p. 35 : l. 21.

Whenever the offense is begun in one jurisdiction and completed in another it may be dealt with, tried, etc., in either jurisdiction, etc. Elkins Act. § 1 : p. 35 : l. 25.

Duty of District Attorneys of United States to whom Commission may apply to institute in the proper Court and to prosecute under direction of Attorney-General all necessary proceedings for the enforcement and for the punishment of all violations of this Act. § 12 : p. 16 : l. 13.

VISITATION.

Calamitous, may be relieved by free carriage. § 1 : p. 7 : l. 16.

VOLUNTEER.

Free carriage or reduced rates may be given to inmates of National Homes or State Homes for Disabled Volunteer Soldiers. § 1 : p. 6 : l. 43. § 22 : p. 29 : l. 42.

VOTE.

Every vote and official act of Commission shall be entered of record. § 17 : p. 25 : l. 11.

VOUCHERS.

Expenses of Commission, for transportation, etc., to be paid on presentation of itemized vouchers approved by Chairman. § 18 : p. 25 : l. 38.

W**WAR.**

In time of war or threatened war preference and expedition to be given military traffic. § 6 : p. 12 : l. 8.

WASHINGTON.

General sessions of Commission to be held in. § 19 : p. 25 : l. 41.

WATER.

Persons, corporations, etc., engaged in transportation of water and natural or artificial gas by pipe lines, etc., excepted from Act. § 1 : p. 5 : l. 6.

Act extends to persons, etc., engaged in transportation of oil or other commodity partly by pipe line and partly by water. § 1 : p. 5 : l. 9.

Act extends to common carrier, etc., engaged in transportation, etc., partly by railroad and partly by water when both are used under common control, management, or arrangement for continuous carriage or shipment. § 1 : p. 6 : l. 13. See § 6 : p. 10 : l. 1.

[The references are to sections, pages, and lines]

WATER (Continued).

The power given Commission to establish through routes and joint rates, etc., on condition stated shall apply when one of the connecting carriers is a water line. § 15 : p. 20 : l. 6.

WEIGHING.

Penalty for carrier knowingly and wilfully giving transportation at less than regular rates, etc., by means of false weighing. § 10 : p. 14 : l. 5.

Penalty on shipper for knowingly and wilfully obtaining transportation at less than regular rates, etc., by false weighing, etc. § 10 : p. 14 : l. 23.

WEIGHT.

Penalty as above imposed on carrier for false report of weight. § 10 : p. 14 : l. 5.

Same imposed on shipper for false report of weight. § 10 : p. 14 : l. 25.

WHOLLY.

Reference to. § 1 : p. 5 : l. 13, 33.

WILFUL.

Elkins Act. § 1 : p. 34 : l. 30.

WILFULLY.

References to. § 10 : p. 13 : l. 25, 28. § 10 : p. 14 : l. 6. § 10 : p. 14 : l. 22. § 20 : p. 28 : l. 1, 3, 6.

WILLINGLY.

References to. § 10 : p. 13 : l. 26, 30. § 10 : p. 14 : l. 7.

WITNESSES.

Commission may require by subpoena attendance and testimony of witnesses, etc. § 12 : p. 16 : l. 18.

Any person may be compelled to give deposition, etc. § 12 : p. 17 : l. 20.

Attendance of witnesses may be required from any place in United States at any designated place of hearing. § 12 : p. 16 : l. 20.

In case of disobedience to subpoena, the Commission or any party may invoke aid of Court. § 12 : p. 16 : l. 26.

Any Circuit Court of United States may issue Order requiring common carrier subject to Act who refuses to obey subpoena of Commission to appear before Commission and testify, etc. § 12 : p. 16 : l. 30.

In actions for recovery of damages, Court may compel any director, officer, receiver, etc., of corporation or company defendant to attend, testify, etc. § 9 : p. 13 : l. 12.

In proceedings under Acts to regulate commerce and Elkins Act, Court may compel attendance of witnesses both on part of carrier and shipper, etc. Elkins Act. § 3 : p. 37 : l. 42.

[The references are to sections, pages, and lines]

WITNESSES (Continued).

Penalty for any person refusing to attend and testify, etc., in obedience to subpoena or lawful requirement of Commission, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 15.

Refusal to obey Order of Court, to attend, etc., before Commission punishable as contempt. § 12 : p. 16 : l. 39.

All existing laws relating to attendance of witnesses, etc., under Act and amendments shall apply to all proceedings and hearings under Act of June 29, 1906. Act June 29, 1906. § 9 : p. 32 : l. 7.

Witness not excused from testifying, etc., because testimony may tend to criminate him. § 9 : p. 13 : l. 14. § 12 : p. 16 : l. 40. Act Feb. 11, 1893. § 1 : p. 33 : l. 6. Elkins Act. § 3 : p. 37 : l. 45.

Such evidence, etc., shall not be used against such person on trial of any criminal proceeding. § 9 : p. 13 : l. 16. § 12 : p. 16 : l. 40.

No person shall be prosecuted or subjected to any penalty or forfeiture for or on account of such testimony, etc. Act Feb. 11, 1893. § 1 : p. 33 : l. 7. Elkins Act. § 3 : p. 38 : l. 2.

Perjury excepted. Act Feb. 11, 1893. § 1 : p. 33 : l. 14.

Immunity to extend only to a natural person who, in obedience to a subpoena, gives testimony under oath, etc. Act June 30, 1906. § 1 : p. 34 : l. 11.

Free passes may be given to witnesses attending legal investigation in which common carrier is interested. § 1 : p. 7 : l. 7.

Special agents appointed by a Commission authorized to examine witnesses, etc. § 20 : p. 28 : l. 38.

Witnesses summoned before Commission paid same fees and mileage as paid witnesses in United States Courts. § 18 : p. 25 : l. 30.

Witnesses whose depositions are taken pursuant to this Act entitled to same fees as paid for like services in United States Courts. § 12 : p. 17 : l. 36.

Notice of taking deposition shall state name of witness, etc. § 12 : p. 17 : l. 18.

WORK.

Reference to. § 1 : p. 6 : l. 39.

WRECKES.

Free passes may be given to persons injured in wrecks, and physicians and nurses attending such persons. § 1 : p. 7 : l. 9.

WRIT.

Obedience to Order of Commission may be enforced by writ of injunction, etc. § 16 : p. 22 : l. 36.

Writ of Mandamus to command carrier to comply with provisions of said Acts or any of them. § 20 : p. 28 : l. 32.

[The references are to sections, pages, and lines]

WRIT (Continued).

Writ of Mandamus to order carrier to move and transport traffic, furnish cars or other facilities of transportation on equal terms, etc. § 23 : p. 31 : l. 11.

Court may require discontinuance of discrimination by proper orders, writs, etc. Elkins Act. § 3 : p. 37 : l. 23.

WRITING.

Commission must make report in, of all investigations. § 14 : p. 18 : l. 27.

Application for switch connection to be in writing. § 2 : p. 8 : l. 9.

Y**YARDS.**

The term "railroad" shall include all freight depots, yards, etc., used or necessary in transportation or delivery, etc. § 1 : p. 6 : l. 11.

YOUNG MEN'S RAILROAD CHRISTIAN ASSOCIATIONS.

Passes, etc., to travelling secretaries of. § 1 : p. 6 : l. 36.

INDEX-DIGEST

ACT OF AUGUST 7, 1888, AS TO GOVERNMENT-AIDED RAILROAD AND TELEGRAPH
LINES.

[SUPPLEMENTARY TO ACT OF JULY 1, 1862, AND ACT OF JULY 2, 1864, AND
AMENDATORY ACTS, ETC.]

FOR DIGESTS OF THE OTHER ACTS, SEE TABLE OF CONTENTS.

A

[The references are to sections, pages, and lines]

ABIDE BY.

Railroad or telegraph company concerned shall abide by Order of Commission. § 3 : p. 41 : l. 2.

Penalty for refusal to. § 5 : p. 42 : l. 4.

ACCEPTED.

Reference to. § 2 : p. 40 : l. 11.

ACT.

References to.

§ 1 : p. 39 : l. 36.

§ 5 : p. 41 : l. 40.

§ 3 : p. 40 : l. 35.

§ 6 : p. 42 : l. 24.

§ 4 : p. 41 : l. 18, 19.

§ 7 : p. 43 : l. 17.

§ 4 : p. 41 : l. 23.

Reference to first section of. § 2 : p. 40 : l. 14, 22. § 3 : p. 40 : l. 32. § 4 : p. 41 : l. 16.

Subject to alteration, amendment, repeal, etc. § 7 : p. 43 : l. 20.

ACTION.

Party aggrieved may bring action for damages. § 5 : p. 42 : l. 13.

ACTS.

Reference to Acts incorporating railroad and telegraph companies.

§ 1 : p. 39 : l. 36.

Reference to Acts making grants, etc., to railroad and telegraph companies. § 1 : p. 40 : l. 8.

Reference to supplementary Acts. § 3 : p. 40 : l. 35. § 4 : p. 41 : l. 18, 23. § 5 : p. 41 : l. 41.

Liable to alteration, amendment, repeal, etc. § 7 : p. 43 : l. 19.

ACTS OF CONGRESS.

Duty of Attorney-General to prevent unlawful interference with rights and equities of United States under all acts of Congress, etc., relating to such railroad and telegraph lines. § 4 : p. 41 : l. 24.

ADVANTAGES.

Penalty for failure to secure equal advantages and facilities in interchange of business to connecting telegraph lines. § 5 : p. 41 : l. 45.

ADJUDICATED.

Duty of Attorney-General to have adjudicated, etc., all alleged rights, etc., in telegraph lines or property. § 4 : p. 41 : l. 26.

[The references are to sections, pages, and lines]

ADVERSE TO.

Discriminations for or adverse to telegraph lines of connecting companies forbidden. Penalty. § 5 : p. 42 : l. 2.

AFFECT.

Right of Congress to amend, alter, repeal Act, etc., not affected, etc. § 7 : p. 43 : l. 18.

AFFORD.

Shall afford equal facilities to all, etc. § 2 : p. 40 : l. 24, 28.

Penalty for refusal to afford to Government and public equal facilities. § 5 : p. 41 : l. 42.

AFFORDING.

Affording equal facilities, etc., to all. § 2 : p. 40 : l. 28.

AFORESAID.

Reference to. § 1 : p. 40 : l. 9.

AFTER.

Reference to. § 6 : p. 42 : l. 24.

AGAINST.

Discrimination for or against connecting lines forbidden. § 2 : p. 40 : l. 28.

Discrimination for or against any person, corporation, etc., forbidden. § 2 : p. 40 : l. 24.

Reference to. § 5 : p. 42 : l. 14.

AGENT.

Reference to. § 5 : p. 41 : l. 35. § 5 : p. 42 : l. 11, 15.

In suit, process may be served upon any agent of company found in such State or Territory. § 5 : p. 42 : l. 19.

AGGRIEVED.

Party aggrieved may have criminal and civil remedy for damages for violation of Act. § 5 : p. 42 : l. 11.

AGREEMENTS.

Railroad and telegraph companies to file copies of all agreements, etc., relating to telegraph lines, etc., with Commission. § 6 : p. 42 : l. 26.

ALL.

All expenses of maintenance, use, operation of telegraph lines to be reported to Commission annually. § 6 : p. 42 : l. 43.

Equal facilities to all. § 2 : p. 40 : l. 24.

Attorney-General to have adjudicated all alleged rights, etc., in any telegraph lines. § 4 : p. 41 : l. 26.

[The references are to sections, pages, and lines]

ALL (Continued).

Attorney-General to have all unlawful contracts, etc., set aside and annulled. § 4 : p. 41 : l. 30.

Copies of all contracts, etc., to be filed with Commission. § 6 : p. 42 : l. 25.

ALLEGED.

Attorney-General to have finally adjudicated all alleged rights in telegraph lines, etc. § 4 : p. 41 : l. 26.

ALLOW.

Shall allow connection with other lines. § 2 : p. 40 : l. 16.

ALONE.

Telegraph franchises of Government-aided companies to be exercised alone, etc. § 1 : p. 40 : l. 7.

ALTER.

Right to alter, etc., Acts reserved to Congress. § 7 : p. 43 : l. 19.

ALTERATIONS.

Right of, of Acts reserved to Congress. § 7 : p. 43 : l. 20.

AMEND.

Congress to have right to amend Acts, etc. § 7 : p. 43 : l. 19.

AMENDATORY.

Reference to, Acts. § 1 : p. 39 : l. 37.

AMENDMENT.

Right of, reserved by Congress. § 7 : p. 43 : l. 20.

ANNUALLY.

Companies to report annually to Commission. § 6 : p. 42 : l. 39.

ANNULLED.

Attorney-General to have all illegal contracts annulled, etc. § 4 : p. 41 : l. 31.

ANY.

References to. § 2 : p. 40 : l. 29. § 4 : p. 41 : l. 21, 27, 30, 33, 34.
§ 5 : p. 41 : l. 36. § 5 : p. 42 : l. 1, 18.

ANY OR EITHER.

Reference to. § 5 : p. 42 : l. 2.

APPLY.

Connecting telegraph company discriminated against may apply for relief to Commission. § 3 : p. 40 : l. 41.

ARRANGEMENT.

Commission may determine what, is proper, etc. § 3 : p. 40 : l. 45.

ARRANGEMENTS.

Reference to. § 3 : p. 40 : l. 38.

[The references are to sections, pages, and lines]

ASCERTAIN.

Commission may ascertain facts and make Order, etc., where complaint made. § 3 : p. 40 : l. 44.

ASCERTAINED.

Duty of Attorney-General to have all alleged rights ascertained, etc. § 4 : p. 41 : l. 25.

ASIDE.

All unlawful contracts, etc., to be set aside, etc., by Attorney-General. § 4 : p. 41 : l. 31.

ASSUMED.

Companies must exercise by themselves alone, etc., all obligations assumed under acts making grants, etc. § 1 : p. 40 : l. 8.

AT ONCE.

Duty of Attorney-General to proceed at once to judicially enforce forfeitures. § 6 : p. 43 : l. 15.

ATTORNEY-GENERAL OF UNITED STATES, DUTY OF.

To prevent unlawful interference with rights and equities of United States, etc. § 4 : p. 41 : l. 20.

To have ascertained and adjudicated all alleged rights in telegraph lines and property, etc. § 4 : p. 41 : l. 25.

To have all unlawful and ultra vires contracts annulled and set aside. § 4 : p. 41 : l. 30.

To recover all forfeitures, etc. § 6 : p. 43 : l. 10.

To be informed by Commission of all violations, etc. § 6 : p. 43 : l. 13.

AUTHORITY.

Act not to interfere with authority of Postmaster-General to fix rates under Title 65 of Revised Statutes. § 7 : p. 43 : l. 25.

B**BEING.**

Reference to. § 6 : p. 42 : l. 37.

BELONGING.

References to. § 2 : p. 40 : l. 13. § 4 : p. 41 : l. 15. § 6 : p. 42 : l. 32, 43.

BENEFIT.

Attorney-General to take proceedings, etc., to secure full value and benefit of Government liens, etc. § 4 : p. 41 : l. 13.

Forfeitures to be recovered for use and benefit of United States. § 6 : p. 43 : l. 11.

[The references are to sections, pages, and lines]

BETWEEN.

References to. § 2 : p. 40 : l. 21. § 6 : p. 42 : l. 27.

BEYOND.

Contracts beyond powers of companies to be set aside, etc. § 4 : p. 41 : l. 32.

BONDS.

Reference to subsidies in bonds, etc. § 1 : p. 39 : l. 34.

BOOKS.

Penalty for refusal to submit books, etc., to Commission for inspection. § 6 : p. 43 : l. 6. See "Penalties."

BRING.

Reference to. § 5 : p. 42 : l. 13.

BUSINESS.

Reference to. § 2 : p. 40 : l. 21.

Shall receive, deliver, and exchange business with connecting lines on equal terms, etc. § 2 : p. 40 : l. 27.

Exchange, of, shall be on terms just and equitable. § 2 : p. 40 : l. 30.

Complaint to Commission for refusal to interchange, etc. § 3 : p. 40 : l. 39.

Penalty for failure or refusal to interchange, etc. § 5 : p. 41 : l. 45. See "Penalties."

Companies to report annually, etc., relation and business with connecting telegraph companies. § 6 : p. 42 : l. 45.

BY.

Abide by.

Penalty for refusal to abide by Orders of Commission. § 5 : p. 42 : l. 4. "See Penalties."

C

CALLED.

Penalty for failure or refusal to make reports called for by Commission. § 6 : p. 43 : l. 5. See "Penalties."

CARRY OUT.

Penalty for refusal or failure to carry out Orders of Commission within reasonable time. § 5 : p. 42 : l. 4. See "Penalties."

CASE.

References to. § 3 : p. 41 : l. 1. § 6 : p. 43 : l. 8. § 5 : p. 42 : l. 6, 8, 10, 18.

[The references are to sections, pages, and lines]

CASES.

Duty of Commission to inform Attorney-General of all cases of neglect or refusal to make reports, etc. § 6 : p. 43 : l. 14.

CAUSE.

Reference to. § 5 : p. 42 : l. 11.

CERTAINTY.

Reference to. § 6 : p. 42 : l. 31, 41.

CLAIM.

Companies to report to Commission every claim of title or interest in telegraph lines, etc. § 6 : p. 42 : l. 37.

CLAIMING.

Reference to. § 4 : p. 41 : l. 27.

CLAIMS. § 6 : p. 42 : l. 35. See "Claim."

CIRCUIT COURT OF UNITED STATES.

Given jurisdiction, as also District Court, of actions for damages, etc. § 5 : p. 42 : l. 15.

COMMERCIAL.

Duty to operate alone, etc., telegraph lines for commercial purposes, etc. § 1 : p. 40 : l. 5.

For commercial, etc., purposes without discrimination, etc. § 3 : p. 40 : l. 37.

COMMISSION.

Connecting company may apply for relief to. § 3 : p. 40 : l. 42.

Commission may ascertain facts, etc. § 3 : p. 40 : l. 44.

May determine and order proper arrangement as to interchange of business, etc. § 3 : p. 40 : l. 45.

Shall enforce order, if necessary by Writ of Mandamus. § 3 : p. 41 : l. 3, 6.

Penalty for refusal, etc., to obey order of. § 5 : p. 42 : l. 5. See "Penalties."

Copies of all contracts, etc., to be filed with. § 6 : p. 42 : l. 25.

Reports to be made to. § 6 : p. 42 : l. 30, 40.

Reports to be prescribed by. § 6 : p. 43 : l. 2.

Penalty for refusal, etc., to make reports as called for by. § 6 : p. 43 : l. 5. See "Penalties."

Duty to report violations of Act to Attorney-General. § 6 : p. 43 : l. 12.

May institute inquiry of own motion to same effect as though complaint had been made. § 3 : p. 41 : l. 11.

May prescribe rules and regulations for ascertainment of facts on application for relief, etc. § 3 : p. 40 : l. 43.

COMMISSIONERS.

Writ of Mandamus for refusal to obey Order at relation of either of Interstate Commerce Commissioners. § 3 : p. 41 : l. 8.

[The references are to sections, pages, and lines]

COMPANIES.

References to.

§ 1 : p. 39 : l. 33.

§ 1 : p. 40 : l. 1.

§ 2 : p. 40 : l. 14, 21, 22.

§ 4 : p. 41 : l. 15, 30, 33.

§ 5 : p. 41 : l. 36, 37, 39.

§ 5 : p. 42 : l. 3.

§ 6 : p. 42 : l. 23, 39, 45.

§ 6 : p. 43 : l. 4.

COMPANY.

References to.

§ 2 : p. 40 : l. 10, 15, 16, 17,
19, 25.

§ 3 : p. 40 : l. 31, 32, 40, 41.

§ 3 : p. 41 : l. 1.

§ 4 : p. 41 : l. 34.

§ 5 : p. 41 : l. 36.

§ 5 : p. 42 : l. 14, 17, 19.

COMPLAINT.

Commission may institute inquiry on its own motion as though complaint had been made. § 3 : p. 41 : l. 11.

CONCERNED.

Parties concerned to be notified by Commission of Order, etc. § 3 : p. 41 : l. 5.

CONDITION.

Companies to report annually condition of lines and property to Commission. § 6 : p. 42 : l. 42.

CONFERRED.

Companies to exercise alone, etc., all franchises conferred, etc. § 1 : p. 40 : l. 7.

CONFORMITY.

Reference to. § 4 : p. 41 : l. 17.

CONGRESS.

Duty of Attorney-General to prevent unlawful interference with rights, etc., of United States under all Acts of Congress, etc. § 4 : p. 41 : l. 24.

Right reserved by Congress to alter, amend, or repeal Act, etc., as in its opinion justice or public welfare may require. § 7 : p. 43 : l. 21.

CONNECT.

Railroads or telegraph companies to be allowed to connect with lines of other companies. § 2 : p. 40 : l. 18.

CONNECTING.

Bound to exchange, etc., business with connecting lines on equal terms, etc. § 2 : p. 40 : l. 27.

Reference to. § 3 : p. 40 : l. 39.

Connecting company may complain to Commission if discriminated against, etc. § 3 : p. 40 : l. 39, 41.

[The references are to sections, pages, and lines]

CONNECTING (Continued).

Penalty for refusing or failing to give equal advantages and facilities to connecting lines. § 5 : p. 41 : l. 44. § 5 : p. 42 : l. 3.
See "Penalties."

Companies to report to Commission annually business with all connecting telegraph companies, etc. § 6 : p. 42 : l. 45.

CONSTRUCT.

Subsidized railroad and telegraph companies who are required by their acts of incorporation, etc., to construct, etc., telegraph lines must exercise by themselves alone the franchises conferred, etc.
§ 1 : p. 39 : l. 37.

CONSTRUCTED.

Reference to. § 4 : p. 41 : l. 14.

CONSTRUCTION.

Subsidies granted for construction of railroad or telegraph lines.
Reference to. § 1 : p. 39 : l. 35.

CONSTRUED.

Reference to. § 7 : p. 43 : l. 17.

CONTAINED.

Reference to. § 7 : p. 43 : l. 22.

CONTINUE.

Duty of companies to continue arrangements for interchange of business with connecting telegraph companies. § 3 : p. 40 : l. 38.

CONTRACTS.

All unlawful or ultra vires contracts to be set aside, annulled, etc., by Attorney-General. § 4 : p. 41 : l. 30, 31.

Copies of all contracts, etc., relating to telegraph lines to be filed with Commission. § 6 : p. 42 : l. 26.

CONTROL.

All alleged rights, etc., of control in telegraph lines or property to be adjudicated by Attorney-General. § 4 : p. 41 : l. 27.

References to. § 5 : p. 41 : l. 39. § 6 : p. 42 : l. 29.

CONVENIENT.

Reference to. § 2 : p. 40 : l. 20.

CONVICTION.

Penalty for, for discrimination, etc., and violation of Act. § 5 : p. 42 : l. 7. See "Penalties."

COPIES.

Copies of all contracts, etc., to be filed with Commission. § 6 : p. 42 : l. 25.

[The references are to sections, pages, and lines]

CORPORATE OFFICERS AND EMPLOYEES.

Telegraph franchises, etc., must be exercised, etc., alone through its own officers, employees, etc. § 1 : p. 40 : l. 4.

CORPORATION.

References to. § 2 : p. 40 : l. 25. § 3 : p. 40 : l. 40. § 4 : p. 41 : l. 34. § 6 : p. 42 : l. 27, 35.

CORPORATIONS.

Reference to. § 4 : p. 41 : l. 26.

COURT.

Circuit or District. Given jurisdiction over actions for damages. § 5 : p. 42 : l. 15.

Service of process on agent found in State or Territory shall be held by Court good and sufficient. § 5 : p. 24 : l. 20.

COURTS.

Writ of Mandamus for refusal, etc., to obey Order of Commission in Courts of United States. § 3 : p. 41 : l. 6.

CREDIT.

Loan of, by United States for construction of railroad or telegraph lines. Reference to. § 1 : p. 39 : l. 34.

D

DAMAGES.

Party aggrieved may cause officer or agent to be prosecuted and may bring action for damages sustained against company, etc. § 5 : p. 42 : l. 13.

DAYS.

Copies of contracts, etc., to be filed within sixty days after passage of this Act. § 6 : p. 42 : l. 24.

DEFINITIONS.

"Misdemeanor." See "Misdemeanor."

DELIVER.

Shall deliver, etc., business with connecting telegraph lines on equal terms, etc. § 2 : p. 40 : l. 26.

DENY.

Nothing in Act shall be held to deny, etc., any right, etc., in United States or any authority in Postmaster-General, etc., to fix rates, etc. § 7 : p. 43 : l. 23.

DESCRIBING.

Companies to file with Commission a report describing with sufficient certainty telegraph lines and property belonging to it, etc. § 6 : p. 42 : l. 31.

[The references are to sections, pages, and lines]

DESCRIPTION.

Copies of contracts, etc., of every, to be filed with Commission.
§ 6 : p. 42 : l. 26.

DETERMINATION.

Commission to notify parties concerned of its determination and Order. § 3 : p. 41 : l. 4.

DETERMINE.

Commission to determine and Order proper arrangement as to facilities, etc., for exchanging business, etc. § 3 : p. 40 : l. 44.

DIRECTED.

Reference to. § 5 : p. 41 : l. 40.

DISCRIMINATION.

Companies to afford equal facilities, etc., without discrimination to all persons, etc. § 2 : p. 40 : l. 24.

To receive, deliver, and exchange business with connecting telegraph lines on equal terms, affording equal facilities, and without discrimination, etc. § 2 : p. 40 : l. 28.

For failure to maintain, operate, etc., without discrimination, complaint may be made to Commission. § 3 : p. 40 : l. 37.

Penalty for violation of Act by discrimination, etc. § 5 : p. 42 : l. 1. See "Penalties."

DISTRICT COURT OF UNITED STATES.

Given jurisdiction of action for damages by party aggrieved, etc. § 5 : p. 42 : l. 15.

DOLLARS.

References to. § 5 : p. 42 : l. 9. § 6 : p. 43 : l. 9, 10. "See Penalties."

DURING.

Reference to. § 6 : p. 43 : l. 1.

DUTY.

Of Commission on complaint to determine and order proper arrangement as to exchange of business, etc. § 3 : p. 40 : l. 42. See "Commission."

Of Attorney-General. See "Attorney-General."

Of companies to file contracts, etc., and to make reports, etc., to Commission. § 6 : p. 42 : l. 22, 38. See "Report."

E**EACH.**

References to. § 5 : p. 41 : l. 44. § 6 : p. 43 : l. 8.

EACH AND EVERY.

Reference to. § 6 : p. 42 : l. 22.

[The references are to sections, pages, and lines]

EARNINGS.

Gross, to be reported to Commission annually by railroad and telegraph companies, etc. § 6 : p. 42 : l. 43.

EFFECT.

Commissioners may institute any inquiry upon their own motion to same effect as though complaint made. § 3 : p. 41 : l. 10.

EITHER.

References to. § 3 : p. 41 : l. 7. § 5 : p. 42 : l. 3.

EMPLOYEES.

Reference to. § 1 : p. 40 : l. 4.

ENFORCE; ENFORCED.

Duty of Attorney-General to judicially enforce forfeitures. § 6 : p. 43 : l. 15.

Order of Commission may be enforced by Writ of Mandamus at relation of either of Interstate Commerce Commissioners. § 3 : p. 41 : l. 5.

ENGAGED.

Reference to. § 5 : p. 41 : l. 40.

ENTERED.

Unlawful and ultra vires contracts entered into by said railroad or telegraph companies to be set aside and annulled by Attorney-General by proper proceedings, etc. § 4 : p. 41 : l. 32.

EQUAL.

Telegraph lines to be operated so as to afford equal facilities to all, etc. § 2 : p. 40 : l. 24.

Business to be exchanged with connecting lines on equal terms and affording equal facilities, etc. § 2 : p. 40 : l. 27, 28.

Penalty for refusing to afford and secure to Government and the public equal facilities or to secure to each of connecting telegraph lines equal advantages and facilities in interchange of business, etc. § 5 : p. 41 : l. 43, 45. See "Penalties."

EQUITABLE.

Exchange of business shall be on terms just and equitable. § 2 : p. 40 : l. 30.

EQUITIES.

Attorney-General shall prevent, etc., unlawful interference with rights and equities of United States, etc. § 4 : p. 41 : l. 22.

EVERY.

References to. § 5 : p. 42 : l. 6, 8, 10. § 6 : p. 42 : l. 27.

Copies of contracts and agreements of every description relating to telegraph lines to be filed with Commission. § 6 : p. 42 : l. 26.

[The references are to sections, pages, and lines]

EXCEEDING.

Not. Reference to. § 5 : p. 42 : l. 8.

EXCHANGE.

Shall exchange business with connecting telegraph lines on equal terms, etc. § 2 : p. 40 : l. 26.

Shall exchange, etc., on terms just and equitable. § 2 : p. 40 : l. 30.

EXCLUDE.

Act shall not be held to exclude any right, etc., in United States or authority of Postmaster-General to fix rates, etc. § 7 : p. 40 : l. 23.

EXCLUSIVE.

Attorney-General shall have finally adjudicated all alleged exclusive rights of way upon lands of sued railroad companies, etc. § 4 : p. 41 : l. 29.

EXERCISE.

Government-aided railroad and telegraph companies shall exercise alone by their officers, etc., telegraph franchises conferred upon them, etc. § 1 : p. 40 : l. 6.

EXISTING.

References to. § 6 : p. 42 : l. 26. § 7 : p. 43 : l. 24.

EXPENSES.

All expenses of maintenance, etc., to be reported annually to Commission. § 6 : p. 42 : l. 44.

EXTEND.

Telegraph company which has accepted provisions of Title 65 Revised Statutes, and shall extend its line to station, etc., of telegraph line belonging to any one of railroad or telegraph companies referred to in Section 1 of Act, shall have right to connect with telegraph line of said company, etc., at place where lines meet, etc. § 2 : p. 40 : l. 12.

EXTENDED.

Reference to. § 2 : p. 40 : l. 19.

EXTENDING.

Reference to. § 2 : p. 40 : l. 15, 17.

EXTENT.

Companies to report annually to Commission, etc., the nature, extent, value, and condition of lines and property owned by them. § 6 : p. 42 : l. 42.

[The references are to sections, pages, and lines]

F

FACILITIES.

Telegraph lines to afford equal, to all, without discrimination, etc.

§ 2 : p. 40 : l. 24.

Affording equal, in exchange, etc., in exchange of business, etc.

§ 2 : p. 40 : l. 28.

Penalty for failure or refusal to afford and secure to Government and public equal. § 5 : p. 41 : l. 43. See "Penalties."

Penalty for refusal on failure to secure to connecting lines equal advantages and facilities in interchange of business. § 5 : p. 41 : l. 45. See "Penalties."

FACTS.

Commission on complaint to ascertain facts as to discrimination as to facilities, interchange of business, etc. § 3 : p. 40 : l. 44.

FAIL.

Complaint to Commission if any company shall fail, etc., to operate without discrimination or to continue arrangements for interchange of business, etc. § 3 : p. 40 : l. 33, 38.

Penalty for officer or agent who shall fail, etc., as above, or to afford equal facilities, etc. § 5 : p. 41 : l. 38, 42. See "Penalties."

Penalty for company which shall refuse or fail to make reports called for by Commission. § 6 : p. 43 : l. 4. See "Penalties."

FAILURE.

Penalty for failure, etc., to operate without discrimination, etc. § 5 : p. 42 : l. 6, 10. See "Penalties."

FAVOR.

Shall operate telegraph lines without discrimination in favor of or against any person, company, etc. § 2 : p. 40 : l. 25.

FILE.

Each company, etc., to file copies of all contracts, etc., relating to telegraph lines, etc., with Commission. § 6 : p. 42 : l. 24.

FINALLY.

Attorney-General to have finally adjudicated all alleged rights, etc., in telegraph lines or property. § 4 : p. 41 : l. 25.

FINED.

Reference to. § 5 : p. 42 : l. 8. See "Penalties."

FIRST.

Reference to first section of Act. § 2 : p. 40 : l. 14, 22. § 3 : p. 40 : l. 32. § 4 : p. 41 : l. 16.

[The references are to sections, pages, and lines]

FIVE THOUSAND.

Penalty of \$5,000. § 6 : p. 43 : l. 9. See "Penalties."

FIX.

Act not to interfere with authority of Postmaster-General to fix rates under Title 65 Revised Statutes. § 7 : p. 43 : l. 26.

FOR.

Discrimination forbidden for or against connecting lines. § 2 : p. 40 : l. 29.

Penalty. § 5 : p. 42 : l. 2. See "Penalties."

FORFEITURE.

Penalty of. § 6 : p. 43 : l. 7. See "Penalties."

FORFEITURES.

Attorney-General shall at once judicially enforce all. § 6 : p. 43 : l. 16.

FORTH.

Setting Reference to. § 6 : p. 42 : l. 36.

FORTHWITH.

Reference to. § 1 : p. 40 : l. 3.

FOUND.

In actions for damages service may be had on any agent of company found in any such State or Territory. § 5 : p. 42 : l. 19.

FRANCHISES.

Must exercise by themselves alone all telegraph franchises conferred, etc. § 1 : p. 40 : l. 7.

FROM AND AFTER.

Reference to. § 6 : p. 42 : l. 24.

FULL.

Duty of Attorney-General to secure and preserve to the United States the full value and benefit of the liens upon the telegraph lines, etc. § 4 : p. 41 : l. 13.

FULLNESS.

Companies to report to Commission with reasonable fullness and certainty, nature, extent, value, and condition of the telegraph lines and property belonging to them, etc. § 6 : p. 42 : l. 41.

G**GIVEN.**

Government's right to have its telegraphic messages given precedence not affected by this Act. § 7 : p. 43 : l. 28.

GOOD.

Service on agent found in State or Territory shall be held by Court good and sufficient. § 5 : p. 42 : l. 21.

[The references are to sections, pages, and lines]

GOVERNMENT.

Duty to operate telegraph lines for use of Government or public without discrimination, etc. § 3 : p. 40 : l. 36.

Penalty for refusal or failure to afford and secure to the Government and public equal facilities, etc. § 5 : p. 41 : l. 43. See "Penalties."

Right of, to purchase telegraph lines not interfered with by this Act. § 7 : p. 43 : l. 27.

GOVERNMENTAL.

Duty of companies to maintain and operate telegraph lines for railroad, governmental, commercial, etc., purposes. § 1 : p. 40 : l. 5.

GRANTED.

Companies granted subsidies in lands, bonds, or loan of credit, etc., must themselves maintain and operate telegraph lines and exercise franchises, etc. § 1 : p. 39 : l. 34.

GRANTS.

Companies, as above, must themselves exercise all telegraph franchises conferred and obligations assumed under acts making the grants, etc. § 1 : p. 40 : l. 9.

GROSS.

Companies, etc., to report annually gross earnings of telegraph lines, etc., to Commission. § 6 : p. 42 : l. 43.

GROUNDS.

Companies, etc., to report to Commission all claims, setting forth grounds of claim, of title to or interest in telegraph lines and property upon its right of way, etc. § 6 : p. 42 : l. 36.

GUILTY.

Convicted of misdemeanor. Penalty. § 5 : p. 42 : l. 6. See "Penalties."

Guilty officer or agent may be prosecuted and also liable in damages. § 5 : p. 42 : l. 12, 15. See "Penalties."

H

HAVE.

References to. § 4 : p. 41 : l. 16, 25, 30. § 6 : p. 42 : l. 35. § 7 : p. 43 : l. 28.

HELD.

Service on agent, etc., to be held by Court good and sufficient in actions for damages. § 5 : p. 42 : l. 20.

Reference to. § 7 : p. 43 : l. 23.

[The references are to sections, pages, and lines]

HENCEFORWARD.

Reference to. § 1 : p. 40 : l. 3.

HEREAFTER.

References to. § 6 : p. 42 : l. 40. § 7 : p. 43 : l. 18.

HEREIN.

Reference to. § 5 : p. 42 : l. 1.

HEREINBEFORE.

References to. § 4 : p. 41 : l. 23. § 6 : p. 43 : l. 16. § 7 : p. 43 : l. 19.

I**IMPAIR.**

Nothing in Act to, right of Congress to alter, amend, repeal, etc. § 7 : p. 43 : l. 18.

Nor to, any right or remedy now in United States. § 7 : p. 43 : l. 23.

Nor to, authority of Postmaster-General to fix rates. § 7 : p. 43 : l. 25.

Nor to, right of Government to purchase telegraph lines. § 7 : p. 43 : l. 27.

Nor to, right to have Government telegraph messages given precedence. § 7 : p. 43 : l. 28.

IMPRISONED.

Penalty for violation of Act. § 5 : p. 42 : l. 9. See "Penalties."

INCORPORATING.

Reference to Acts incorporating Government-aided railroads and telegraph companies. § 1 : p. 39 : l. 36.

INFORM.

Duty of Commission to inform Attorney-General of refusal to make reports, etc. § 6 : p. 43 : l. 13.

INQUIRY.

Commissioners may institute inquiry on own motion, etc. § 3 : p. 41 : l. 9.

INSPECTION.

Penalty for refusal to submit books, etc., to Commission for inspection. § 6 : p. 43 : l. 7. See "Penalties."

INSTITUTE.

Commissioners may institute inquiry on own motion, etc. § 3 : p. 41 : l. 9.

INTERCHANGE.

Right to connect telegraph lines for prompt and convenient interchange of business. § 2 : p. 40 : l. 20.

May complain to Commission for refusal to make or continue arrangements for, of business, etc. § 3 : p. 40 : l. 39.

[The references are to sections, pages, and lines]

INTERCHANGE (Continued).

Penalty for failure or refusal to secure to connecting lines equal advantages and facilities in, of business. § 5 : p. 41 : l. 45.
See "Penalties."

INTEREST.

Attorney-General to have adjudicated all alleged rights of persons, etc., claiming any control or interest of any kind in telegraph lines or property. § 4 : p. 41 : l. 28.

Companies to report to Commission lines, etc., over which any person, etc., claims to have a title or interest. § 6 : p. 42 : l. 36.

INTERFERENCE.

Attorney-General to prevent unlawful, with rights and equities of United States. § 4 : p. 41 : l. 21.

INTERSTATE COMMERCE COMMISSION.

See "Commission."

INTERSTATE COMMERCE COMMISSIONERS.

See "Commissioners."

J**JUDICIALLY.**

Attorney-General to, enforce all forfeitures. § 6 : p. 43 : l. 15.

JUST.

Exchange of business to be on terms just and equitable. § 2 : p. 40 : l. 30.

JUSTICE.

Congress reserves right to alter, amend, or repeal acts hereinbefore mentioned as justice or public welfare may require. § 7 : p. 43 : l. 21.

K**KIND.**

Attorney-General to have adjudicated all claims of persons and corporations of control or interest of any kind in telegraph lines, etc. § 4 : p. 41 : l. 28.

L**LANDS.**

Subsidy in. Reference to. § 1 : p. 39 : l. 34.

Attorney-General to have adjudicated alleged exclusive rights of way upon the lands of said railroad companies, etc. § 4 : p. 41 : l. 29.

[The references are to sections, pages, and lines]

LAWFULLY.

Reference to. § 4 : p. 41 : l. 15.

LEGALLY.

Reference to. § 4 : p. 41 : l. 25.

LESS.

Not less than. Penalty for violation of Act. § 5 : p. 42 : l. 9.
§ 6 : p. 43 : l. 9. See "Penalties."

LIENS.

Attorney-General to secure and preserve full value and benefit of Government liens, etc. § 4 : p. 41 : l. 13.

LINE.

References to. § 1 : p. 39 : l. 36. § 1 : p. 40 : l. 2, 6. § 2 : p. 40 : l. 12, 13, 15, 17, 18. § 3 : p. 40 : l. 33, 35. § 5 : p. 42 : l. 2, 17.

LINES.

References to. § 2 : p. 40 : l. 20, 24, 27, 29. § 4 : p. 41 : l. 14, 25, 28. § 5 : p. 41 : l. 37, 38, 44. § 6 : p. 42 : l. 29, 31, 34, 42.
Right of Government to purchase, not interfered with by this Act.
§ 7 : p. 42 : l. 27.

LOAN OF CREDIT.

Subsidy by. Reference to. § 1 : p. 39 : l. 34.

M**MADE.**

References to. § 3 : p. 40 : l. 45. § 3 : p. 41 : l. 4, 11. § 4 : p. 41 : l. 19.

MAINTAIN.

Companies, etc., whose acts, etc., require them to construct, maintain, etc., telegraph lines shall themselves alone maintain and operate, etc. § 1 : p. 40 : l. 1, 4.

Complaint to Commission for refusal or failure to. § 3 : p. 40 : l. 34.

MAINTENANCE.

Reference to. § 6 : p. 42 : l. 28.

Companies to report to Commission annually all expenses of, etc.
§ 6 : p. 42 : l. 44.

MAKE.

Complaint to Commission for failure to make or continue arrangements for interchange of business. § 3 : p. 40 : l. 38.

Penalty for refusal or failure to make reports called for by Commission. § 6 : p. 43 : l. 4.

[The references are to sections, pages, and lines]

MANDAMUS, WRIT OF.

At relation of either of Commissioners to enforce determination and order of Commission as to arrangement for interchange of business, etc. § 3 : p. 41 : l. 6.

MANNER.

References to. § 3 : p. 41 : l. 10. § 4 : p. 41 : l. 27. § 5 : p. 41 : l. 40. § 6 : p. 42 : l. 32, 37. § 6 : p. 43 : l. 2.

MEET.

Reference to. § 2 : p. 40 : l. 20.

MENTIONED.

References to. § 4 : p. 41 : l. 23. § 7 : p. 43 : l. 20.

MESSAGES.

Right of Government to have precedence for its telegraphic messages not affected by this Act. § 7 : p. 43 : l. 28.

MISDEMEANOR.

Defined. § 5 : p. 41 : l. 35.

Failure or refusal, on part of any officer or agent of said railroad or telegraph companies, or of any operating company, —

To operate lines, etc., as required by this Act and Acts supplementary thereto. § 5 : p. 41 : l. 38.

To afford and secure to Government and public equal facilities. § 5 : p. 41 : l. 43.

To secure to connecting telegraph lines equal advantages and facilities in interchange of business without discrimination, etc. § 5 : p. 41 : l. 44.

To abide by, perform, and carry out Orders of Commission within a reasonable time. § 5 : p. 42 : l. 4.

Penalties for above :

Fine not exceeding \$1,000. § 5 : p. 42 : l. 8.

Also may be imprisoned not less than six months. § 5 : p. 42 : l. 9.

Party aggrieved may not only cause guilty officers to be prosecuted as above, but may also bring action for damages against the company. § 5 : p. 42 : l. 13. See "Penalties."

MONTHS.

Reference to. § 5 : 42 : l. 10. See "Penalties."

MORE.

Not more than. Reference to. § 6 : p. 43 : l. 9. See "Penalties."

MOTION.

Commission may institute any inquiry upon own motion, etc. § 3 : p. 41 : l. 10.

N

NAME.

Writ of Mandamus for enforcing determination and Order of Commission as to arrangements for interchange of business, etc., to be in name of the United States. § 3 : p. 41 : l. 7.

Forfeitures to be recovered in name of and for use and benefit of the United States. § 6 : p. 43 : l. 11.

NATURE.

Reference to. § 6 : p. 42 : l. 41.

NECESSARY.

Reference to. § 3 : p. 41 : l. 5.

NEGLECT.

Neglect or refusal to submit books and records for inspection by Commission shall operate as a forfeiture. § 6 : p. 43 : l. 7.

Penalty. § 6 : p. 43 : l. 8. See "Penalties."

Commission to report to Attorney-General all cases of neglect, etc., as above. § 6 : p. 43 : l. 14.

NOT EXCEEDING.

Reference to. § 5 : p. 42 : l. 8. See "Penalties."

NOT LESS THAN.

References to. § 5 : p. 42 : l. 9. § 6 : p. 43 : l. 9. See "Penalties."

NOT MORE THAN.

Reference to. § 6 : p. 43 : l. 9. See "Penalties."

NOT ONLY.

Reference to. § 5 : p. 42 : l. 11.

NOTHING.

Reference to. § 7 : p. 43 : l. 17, 22.

NOTIFY.

Commission to notify parties of determination and Order. § 3 : p. 41 : l. 4.

O

OBLIGATIONS.

Companies to exercise by themselves alone telegraph franchises conferred and obligations assumed under Acts making the grants. § 1 : p. 40 : l. 8.

OFFICE.

Reference to. § 2 : p. 40 : l. 12.

[The references are to sections, pages, and lines]

OFFICER.

Penalty for failure to comply with Act. § 5 : p. 41 : l. 35. § 5 : p. 42 : l. 11, 14. See "Penalties."

OFFICERS.

Companies, etc., must maintain and operate telegraph lines and exercise telegraph franchises, etc., through their own corporate officers, etc. § 1 : p. 40 : l. 4.

ONCE.

Reference to. § 6 : p. 43 : l. 15.

ONE.

Reference to. § 2 : p. 40 : l. 29.

References to. § 5 : p. 42 : l. 8. § 6 : p. 43 : l. 9. See "Penalties."

ONLY.

Reference to. § 5 : p. 42 : l. 11.

OPERATE.

Government-aided railroad and telegraph companies, etc., must themselves alone maintain and operate telegraph lines, etc. § 1 : p. 40 : l. 1, 5.

Shall so, as to afford equal facilities to all, etc. § 2 : p. 40 : l. 23.

For refusal or failure to, as above, complaint to Commission. § 3 : p. 40 : l. 34.

Penalty for refusal or failure to, as above. § 5 : p. 41 : l. 38. See "Penalties."

Neglect or refusal to submit books and records or to make required reports, etc., shall operate as a forfeiture, etc. § 6 : p. 43 : l. 7.

OPERATED.

References to. § 4 : p. 41 : l. 17. § 6 : p. 42 : l. 33, 38.

OPERATING.

References to. § 1 : p. 40 : l. 2. § 3 : p. 40 : l. 32. § 5 : p. 41 : l. 36, 40.

OPERATION.

References to. § 5 : p. 41 : l. 42. § 6 : p. 42 : l. 29, 44.

OPINION.

Acts hereinbefore mentioned subject to amendment, repeal, etc., as in opinion of Congress justice or public welfare may require. § 7 : p. 43 : l. 21.

ORDER.

Commission may determine, on complaint, and Order proper arrangement for interchange of business, etc. § 3 : p. 40 : l. 45.

Railroad or telegraph company concerned shall abide by and perform Order as above. § 3 : p. 41 : l. 2.

[The references are to sections, pages, and lines]

ORDER (Continued).

Commission shall notify parties concerned of its Order. § 3 : p. 41 : l. 4.

Penalty for refusal to abide by or perform and carry out within reasonable time Order or Orders of Commission. § 5 : p. 42 : l. 5.

See "Penalties."

ORDERS.

See "Order," above. § 5 : p. 42 : l. 5.

OTHER.

References to. § 3 : p. 40 : l. 37. § 4 : p. 41 : l. 34. § 6 : p. 42 : l. 35.

OUT.

Penalty for failure, etc., to carry out Order of Commission, etc. § 5 : p. 42 : l. 4. See "Penalties."

OVER.

Reference to. § 6 : p. 42 : l. 30.

OWN.

Reference to. § 1 : p. 40 : l. 3.

Commissioners may institute any inquiry upon own motion, etc. § 3 : p. 41 : l. 10.

OWNERSHIP.

Reference to. § 6 : p. 42 : l. 28.

P

PART.

Reference to. § 3 : p. 40 : l. 34.

PARTICULAR.

Reference to. § 3 : p. 41 : l. 1.

PARTIES.

Reference to. § 3 : p. 41 : l. 5.

PARTY.

Party aggrieved may sue company for damages, etc. § 5 : p. 42 : l. 11.

PASSAGE.

Reference to. § 6 : p. 42 : l. 24.

PENALTIES.

For misdemeanors of officer or agent, as defined. See "Misdemeanor."

Company also liable in damages. § 5 : p. 42 : l. 13.

[The references are to sections, pages, and lines]

PENALTIES (Continued).

Failure to make reports, etc., forfeiture of not less than \$1,000, nor more than \$5,000. § 6 : p. 43 : l. 4.

Refusal to submit books and records for inspection of Commission. Forfeiture of a sum not less than \$1,000 and not more than \$5,000. § 6 : p. 43 : l. 6.

PERFORM.

Companies, etc., shall abide by and perform Order of Commission as to arrangement for interchange of business, etc. § 3 : p. 41 : l. 2.

Penalty for refusal to, etc., upon officer or agent. § 5 : p. 42 : l. 4.

May be made to perform, etc., by Writ of Mandamus. § 3 : p. 41 : l. 6.

Company liable in damages for failure to perform, etc. § 5 : p. 42 : l. 13.

PERSON.

Discrimination forbidden in favor of or against any person, etc. § 2 : p. 40 : l. 25.

Any person, etc., may apply to Commission for relief for failure to make or continue arrangement for interchange of business. § 3 : p. 40 : l. 40.

References to. § 4 : p. 41 : l. 34. § 6 : p. 42 : l. 27, 35.

PERSONS.

Alleged rights of all, etc., in telegraph lines or property or in exclusive rights of way upon lands of said railroad companies to be adjudicated by Attorney-General. § 4 : p. 41 : l. 26.

PLACE.

Reference to. § 2 : p. 40 : l. 19.

PORION.

Reference to. § 5 : p. 42 : l. 17.

POSSESSED.

Reference to. § 4 : p. 41 : l. 17.

POSSESSION.

Reference to. § 6 : p. 42 : l. 28.

POSTMASTER-GENERAL.

Power to fix rates not affected by Act. § 7 : p. 43 : l. 25.

POWERS.

Contracts entered into beyond, of said railroad and telegraph companies to be set aside and annulled by Attorney-General. § 4 : p. 41 : l. 32.

PRECEDENCE.

Right of, for Government telegraphic messages not affected by Act. § 7 : p. 43 : l. 28.

[The references are to sections, pages, and lines]

PRECEDING.

Reference to. § 6 : p. 43 : l. 1.

PREMISES.

Reference to. § 7 : p. 43 : l. 24.

PRESCRIBE.

Commission on complaint may prescribe, etc., proper arrangement for interchange of business, etc. § 2 : p. 40 : l. 44.

Commission shall, a system of reports. § 6 : p. 43 : l. 3.

PRESERVE.

Attorney-General shall, full value and benefit of liens of Government, etc. § 4 : p. 41 : l. 12.

PREVENT.

Attorney-General shall, any unlawful interference with rights and equities of United States. § 4 : p. 41 : l. 21.

PROCEED.

Attorney-General shall, at once to judicially enforce forfeitures under Section 6. § 6 : p. 43 : l. 15.

PROCEEDINGS.

Reference to. § 4 : p. 41 : l. 21.

PROCESS.

In suits for damages, process may be served on agent, etc. § 5 : p. 42 : l. 18.

PROMPT.

Right to connect telegraph lines for, and convenient interchange of business, etc. § 2 : p. 40 : l. 20.

PROPER.

Commission to prescribe, determine, and order, on complaint, proper arrangement for interchange of business, etc. § 3 : p. 40 : l. 45.

Reference to. § 4 : p. 41 : l. 20.

PROPERTY.

References to. § 4 : p. 41 : l. 28. § 6 : p. 42 : l. 29, 32, 34.

Companies to report annually to Commission nature, extent, value, and condition of their telegraphic lines and property, etc. § 6 : p. 42 : l. 42.

PROSECUTED.

Officer or agent may be caused to be, by party aggrieved, etc. § 5 : p. 42 : l. 12.

PROVIDED.

References to. § 3 : p. 40 : l. 35. § 5 : p. 42 : l. 1. § 6 : p. 43 : l. 16. § 7 : p. 43 : l. 27.

Provisos, etc. Reference to. § 3 : p. 41 : l. 8.

[The references are to sections, pages, and lines]

PROVISIONS.

References to. § 2 : p. 40 : l. 11. § 4 : p. 41 : l. 18, 31. § 5 : p. 42 : l. 12.

PUBLIC.

Complaint to Commission for refusal or failure to operate telegraph lines for use of Government or the public, etc. § 3 : p. 40 : l. 36.

Penalty on officer or agent for refusal or failure to afford and secure to the Government and the public equal facilities, etc. § 5 : p. 41 : l. 43. See "Misdemeanor;" "Penalties."

Congress to have right to amend, etc., Acts hereinbefore mentioned as justice or the public welfare may require. § 7 : p. 43 : l. 22.

PURCHASE.

Right of Government to, telegraph lines not affected by this Act. § 7 : p. 43 : l. 27.

PURPOSES.

References to. § 1 : p. 40 : l. 6. § 3 : p. 40 : l. 37.

R**RAILROAD.**

Government-aided railroad and telegraph companies, etc., to exercise by themselves alone all telegraph franchises conferred and obligations assumed, etc. § 1 : p. 39 : l. 33. § 1 : p. 40 : l. 2, 5.

References to. § 2 : p. 40 : l. 13, 16, 18, 22. § 4 : p. 41 : l. 15, 29.

RAILROAD COMPANIES.

Liable for damages to party aggrieved for failure or refusal of officers or agents to comply with Act, etc. § 5 : p. 42 : l. 13. See "Misdemeanor."

RAILROAD COMPANY.

Complaint to Commission for refusal or failure to maintain and operate telegraph lines as provided in Act, etc. § 3 : p. 40 : l. 31, 33.

Shall abide by and perform Order of Commission, etc. § 3 : p. 41 : l. 1.

RAILROAD OR TELEGRAPH COMPANIES.

Reference to. § 4 : p. 41 : l. 33.

Penalty upon officer or agent for failure or refusal to comply with provisions of Act. § 5 : p. 41 : l. 35, 38. See "Penalties."

Duty to file copies of all contracts and agreements of every description relating to telegraph lines with Commission. § 6 : p. 42 : l. 23.

[The references are to sections, pages, and lines]

RAILROAD OR TELEGRAPH COMPANIES (Continued).

Duty to file report, etc. § 6 : p. 42 : l. 23. See "Report."

Duty to file annual report, etc. § 6 : p. 42 : l. 39. See "Report."

Penalty for refusal or failure to make reports, etc. § 6 : p. 43 : l. 3.
See "Penalties."

Penalty for failure or refusal to submit books and records to
Commission for inspection. § 6 : p. 43 : l. 6. See "Penalties."

RAILROADS.

References to. § 4 : p. 41 : l. 24. § 5 : p. 41 : l. 37.

REASONABLE.

Penalty upon officer or agent for failure or refusal to abide by, perform, and carry out Order of Commission within reasonable time.
§ 5 : p. 42 : l. 4.

Railroad and telegraph companies to report annually to Commission with reasonable fullness and certainty, etc. § 6 : p. 42 : l. 41.
See "Report."

RECEIVE.

Duty of companies to receive, deliver, and exchange business with connecting telegraph lines on equal terms, etc. § 2 : p. 40 : l. 26.

RECORDS.

Penalty for refusal to submit books and records for inspection. § 6 : p. 43 : l. 6. See "Penalties."

RECOVERED.

Forfeitures under Section 6 to be recovered by Attorney-General, etc. § 6 : p. 43 : l. 10.

REFERENCE.

Reference to. § 6 : p. 42 : l. 28.

REFERENCES TO OTHER SECTIONS AND OTHER ACTS.

To first section of Act. § 2 : p. 40 : l. 14, 22. § 3 : p. 40 : l. 32.
§ 4 : p. 41 : l. 16.

To Title 65 of Revised Statutes. § 7 : p. 43 : l. 26.

REFERRED TO.

References to. § 2 : p. 40 : l. 14, 22, 32. § 4 : p. 41 : l. 16.

REFUSAL.

Penalty on officer or agent for, to abide by Act, carry out order of Commission, etc. § 5 : p. 42 : l. 6. See "Misdemeanor ;"
"Penalties."

Party aggrieved may cause officer or agent who shall refuse to abide by Act or carry out Order of Commission, etc., to be prosecuted, etc. § 5 : p. 42 : l. 10.

[The references are to sections, pages, and lines]

REFUSAL (Continued).

Refusal to make reports called for by Commission, or to submit books, etc., for inspection to operate as a forfeiture. § 6 : p. 43 : l. 7.

Penalty for above refusal. § 6 : p. 43 : l. 8.

Commission to report to Attorney-General all cases of neglect or refusal as above. § 6 : p. 43 : l. 14.

REFUSE.

Complaint to Commission for relief if any company, etc., shall refuse to operate telegraph line as provided in this Act. § 3 : p. 40 : l. 33.

Or if such company shall refuse or fail to make or continue arrangement for interchange of business, etc. § 3 : p. 40 : l. 38.

Penalty upon officer or agent who shall refuse, etc., to operate telegraph lines in manner directed by this Act, or shall refuse to afford equal facilities, etc., or to secure equal advantages to connecting companies in interchange of business, etc., or to carry out, etc., Orders of Commission, etc. § 5 : p. 41 : l. 35. § 5 : p. 42 : l. 3, 6. See "Penalties."

Penalty for company, etc., which shall refuse, etc., to make reports called for by Commission or to submit books, etc., for inspection. § 6 : p. 43 : l. 4, 6. See "Penalties."

REGULATIONS.

Commission may prescribe rules and regulations for ascertainment of facts where application made for relief, etc. § 3 : p. 40 : l. 43.

RELATING TO.

Reference to. § 4 : p. 41 : l. 24.

RELATION.

Writ of Mandamus to enforce order of Commission at relation of either of Commissioners. § 3 : p. 41 : l. 7.

Companies, etc., to report relation and business with all connecting telegraph companies. § 6 : p. 42 : l. 45.

RELIEF.

Any person, company, corporation, or connecting telegraph company may apply to Commission for relief. § 3 : p. 40 : l. 41.

REMEDY.

No, existing in United States to be impaired, etc., by Act. § 7 : p. 43 : l. 24.

REPEAL.

Right reserved in Congress to amend or repeal Acts hereinbefore mentioned, etc. § 7 : p. 43 : l. 19.

This Act subject to amendment, repeal, etc. § 7 : p. 43 : l. 21.

[The references are to sections, pages, and lines]

REPORT.

Each of railroad and telegraph companies shall file report within sixty days from and after passage of this Act, describing, etc.,

1. The telegraph lines and property belonging to it. § 6 : p. 42 : l. 31.
2. The manner in which same are then used and operated. § 6 : p. 42 : l. 32.
3. The telegraph lines and property upon its right of way in which any other person or corporation claims title or interest, setting forth the grounds of such claim. § 6 : p. 42 : l. 34.
4. The manner in which same are being then used and operated. § 6 : p. 42 : l. 37.

Duty of said companies annually to report to Commission, with reasonable fullness and certainty,

1. The nature, extent, value, and condition of the telegraph lines and property then belonging to it. § 6 : p. 42 : l. 40, 41.
2. The gross earnings. § 6 : p. 42 : l. 43.
3. All expenses of maintenance, use, and operation thereof. § 6 : p. 42 : l. 44.
4. Its relation and business with all connecting telegraph companies during preceding year. § 6 : p. 42 : l. 45.

Commission to prescribe time and manner of report. § 6 : p. 43 : l. 2.

Penalty for refusal or failure to make, etc. § 6 : p. 43 : l. 4, 5.
See "Penalties."

REQUIRE.

Reference to. § 7 : p. 43 : l. 22.

REQUIRED.

References to. § 1 : p. 39 : l. 37. § 4 : p. 41 : l. 14. § 6 : p. 43 : l. 2.

RESPECTIVE.

Reference to. § 2 : p. 40 : l. 23.

REVISED STATUTES. UNITED STATES.

Reference to companies which have accepted provisions of Title 65 of. § 2 : p. 40 : l. 11.

Power of Postmaster-General under Title 65 of, to fix rates not impaired by this Act. § 7 : p. 43 : l. 26.

RIGHT.

Company extending its telegraph line, etc., shall have right to connect with line of other company, etc. § 2 : p. 40 : l. 16.

Nothing in Act to affect, etc., right of Congress to alter, amend, or repeal the Acts hereinbefore mentioned. § 7 : p. 43 : l. 18.

Nor to deny, exclude, or impair any right or remedy, etc., now existing in the United States. § 7 : p. 43 : l. 23.

[The references are to sections, pages, and lines]

RIGHT OF WAY.

Companies to report, etc., telegraph lines and property upon its right of way in which any other person or corporation claims to have a title or interest, etc. § 6 : p. 42 : l. 34.

RIGHTS.

Duty of Attorney-General to prevent unlawful interference with rights, etc., of United States. § 4 : p. 41 : l. 22.

Also to have finally adjudicated all alleged rights, etc., in telegraph lines or property. § 4 : p. 41 : l. 26.

RIGHTS OF WAY.

Duty of Attorney-General as above as to alleged exclusive rights of way upon lands of said railroad companies, etc. § 4 : p. 41 : l. 29.

Railroad and telegraph companies to file copies of all contracts, etc., with reference to telegraph lines over or upon its rights of way. § 6 : p. 42 : l. 30.

ROAD.

Circuit or District Court in any State or Territory in which any portion of road, etc., situated given jurisdiction over suits for damages, etc. § 5 : p. 42 : l. 17.

RULES.

Commission to prescribe rules and regulations for ascertainment of facts on application for relief, etc. § 3 : p. 40 : l. 43.

S

SAME.

Reference to. § 3 : p. 41 : l. 5, 10. § 4 : p. 41 : l. 17. § 6 : p. 42 : l. 33.

SECTION.

Reference to first, of Act. § 2 : p. 40 : l. 14, 22. § 3 : p. 40 : l. 32. § 4 : p. 41 : l. 16.

Reference to. § 5 : p. 42 : l. 13.

SECURE.

Duty of Attorney-General to, etc., full value and benefit of liens of United States, etc. § 4 : p. 41 : l. 12.

Penalty on officer or agent who shall refuse or fail to secure to Government and public equal facilities, etc., and to secure to connecting lines of telegraph equal advantages, etc., in interchange of business, etc. § 5 : p. 41 : l. 43, 44. See "Penalties."

[The references are to sections, pages, and lines]

SERVED.

Process in action for damages may be, upon any agent of company, etc., found in such State or Territory, etc. § 5 : p. 42 : l. 18.

SERVICE.

Service as above to be held good and sufficient by Court. § 5 : p. 42 : l. 20.

SET ASIDE.

Unlawful and ultra vires contracts to be set aside, etc., by Attorney-General, etc. § 4 : p. 41 : l. 31.

SETTING FORTH.

Reference to. § 6 : p. 42 : l. 36.

SEVERAL.

Reference to. § 4 : p. 41 : l. 18.

SITUATED.

Reference to. § 5 : p. 42 : l. 18.

SIX.

Reference to. § 5 : p. 42 : l. 9. See "Penalties."

SIXTY.

Copies of contracts, etc., relating to telegraph lines, etc., to be filed within sixty days after passage of this Act. § 6 : p. 42 : l. 24.

SIXTY-FIVE.

Reference to Title 65 of Revised Statutes. § 7 : p. 43 : l. 26.

STATE.

Reference to. § 5 : p. 42 : l. 16, 19.

STATION.

Reference to. § 2 : p. 40 : l. 12.

STATUTES, REVISED.

See "Revised Statutes."

SUBJECT.

Act subject to amendment, etc. § 7 : p. 43 : l. 20.

SUBMIT.

Penalty for refusal, etc., to, books, etc., for inspection. § 6 : p. 43 : l. 6.

SUBSIDY.

In lands, bonds, or loan of credit. Reference to. § 1 : p. 39 : l. 34.

SUCH.

References to.

§ 2 : p. 40 : l. 21, 29.

§ 3 : p. 40 : l. 31, 38, 43.

§ 4 : p. 41 : l. 24.

§ 5 : p. 41 : l. 42.

§ 5 : p. 42 : l. 6, 8, 10, 19, 20.

§ 6 : p. 42 : l. 36.

§ 6 : p. 43 : l. 1, 4.

[The references are to sections, pages, and lines]

SUIT.

Service of process in, for damages. § 5 : p. 42 : l. 18.

SUFFICIENT.

References to. § 5 : p. 42 : l. 21. § 6 : p. 42 : l. 31.

SUM.

References to. § 5 : p. 42 : l. 8. § 6 : p. 43 : l. 8. See "Penalties."

SUPPLEMENTARY.

References to. § 1 : p. 39 : l. 37. § 3 : p. 40 : l. 35. § 4 : p. 41 : l. 19. § 5 : p. 41 : l. 41.

SUSTAINED.

Party aggrieved may bring action against company for damages sustained by act of officer or agent, etc. § 5 : p. 42 : l. 14.

SYSTEM.

Commission to prescribe a, of reports, etc. § 6 : p. 43 : l. 2.

T

TELEGRAPH COMPANIES.

To operate lines and exercise franchises by themselves alone, etc.

§ 1 : p. 39 : l. 33. See "Railroad or Telegraph Companies."

References to.

§ 1 : p. 40 : l. 1, 6, 7.

§ 5 : p. 41 : l. 36, 39.

§ 2 : p. 40 : l. 22.

§ 6 : p. 42 : l. 23, 39, 45.

§ 4 : p. 41 : l. 15, 33.

§ 6 : p. 43 : l. 4.

TELEGRAPH COMPANY.

References to. § 2 : p. 40 : l. 10, 15, 16, 17, 18. § 3 : p. 40 : l. 31, 40, 41. § 3 : p. 41 : l. 1.

TELEGRAPH FRANCHISES.

Companies to exercise, by themselves alone, etc. § 1 : p. 40 : l. 7.

TELEGRAPH LINE.

References to. § 2 : p. 40 : l. 13, 15, 18. § 3 : p. 40 : l. 33, 34.

TELEGRAPH LINES.

References to.

§ 1 : p. 39 : l. 35.

§ 4 : p. 41 : l. 14, 24, 25, 28.

§ 1 : p. 40 : l. 1, 2, 6.

§ 5 : p. 41 : l. 37, 38, 44.

§ 2 : p. 40 : l. 23, 27.

§ 6 : p. 42 : l. 29, 31, 34, 42.

TERMS.

To exchange business with connecting telegraph lines on equal terms, etc. § 2 : p. 40 : l. 27.

Such exchange to be on terms just and equitable. § 2 : p. 40 : l. 30.

[The references are to sections, pages, and lines]

TERRITORY.

Reference to. § 5 : p. 42 : l. 16, 20.

THEREOF.

Reference to. § 5 : p. 42 : l. 12, 15.

THOUSAND.

References to. § 5 : p. 42 : l. 8. § 6 : p. 43 : l. 9. See "Penalties."

TIME.

Penalty on officer or agent failing, etc., to carry out, etc., orders of Commission within a reasonable time, etc. § 5 : p. 42 : l. 4.

Reports to Commission at such time, etc., as it may prescribe. § 6 : p. 43 : l. 1.

Congress may amend, etc., Acts hereinbefore mentioned at any time. § 7 : p. 43 : l. 18.

TITLE.

Reference to Title 65 of Revised Statutes. § 2 : p. 40 : l. 11. § 7 : p. 43 : l. 26. § 7 : p. 43 : l. 28.

Companies to report to Commission telegraph lines and property on its right of way in which any other person or corporation claims to have a title or interest, etc. § 6 : p. 42 : l. 36.

TRANSMISSION.

Act not to affect right of Government to have its telegraphic messages given precedence in transmission. § 7 : p. 43 : l. 29.

U**UNDER.**

References to. § 3 : p. 40 : l. 43. § 4 : p. 41 : l. 22, 23. § 5 : p. 42 : l. 12. § 7 : p. 43 : l. 26, 28.

UNLAWFUL.

Duty of Attorney-General to prevent any unlawful interference with rights and equities of United States. § 4 : p. 41 : l. 21.

UNLAWFULLY.

Attorney-General to have set aside and annulled all contracts unlawfully entered into, etc. § 4 : p. 41 : l. 32.

UNITED STATES.

Duty of Attorney-General to prevent any unlawful interference with rights and equities of. § 4 : p. 41 : l. 22.

Duty of Attorney-General to secure and preserve to United States full value and benefit of its liens, etc. § 4 : p. 41 : l. 13.

Courts of, to issue Writs of Mandamus to enforce Orders of Commission, etc. § 3 : p. 41 : l. 6.

Writs of Mandamus to be in name of. § 3 : p. 41 : l. 7.

[The references are to sections, pages, and lines]

UNITED STATES (Continued).

Any District or Circuit Court of, etc., to have jurisdiction in actions for damages, etc. § 5 : p. 42 : l. 16.

Forfeitures to be recovered by Attorney-General in name of, and for use and benefit of. § 6 : p. 43 : l. 12.

Act not to interfere, etc., with any right or remedy, etc., now existing in. § 7 : p. 43 : l. 24.

References to. § 1 : p. 39 : l. 33. § 6 : p. 43 : l. 11.

UPON.

References to. § 3 : p. 41 : l. 9. § 4 : p. 41 : l. 13, 29. § 5 : p. 42 : l. 19. § 6 : p. 42 : l. 30, 34.

USE.

References to. § 3 : p. 40 : l. 36. § 5 : p. 41 : l. 42. § 6 : p. 42 : l. 29, 44. § 6 : p. 43 : l. 11.

USED.

References to. § 4 : p. 41 : l. 17. § 6 : p. 42 : l. 33, 38.

V**VALUE.**

Duty of Attorney-General to secure and preserve full value, etc., of Government upon telegraph lines, etc. § 4 : p. 41 : l. 13.

Companies, etc., to report annually value, etc., of telegraph lines and property. § 6 : p. 42 : l. 42.

W**WAY.**

Attorney-General to have finally adjudicated all alleged exclusive rights of way upon lands of subsidized railroad companies. § 4 : p. 41 : l. 29.

Companies, etc., to file copies of all contracts, etc., relating to ownership, possession, maintenance, control, use, or operation of any telegraph lines or property over or upon its rights of way, etc. § 6 : p. 42 : l. 30.

Companies, etc., to report as to telegraph lines upon its right of way in which any other person or corporation claims to have a title or interest, etc. § 6 : p. 42 : l. 34.

WELFARE.

Congress to have right to amend, etc., Act as justice or the public welfare may require. § 7 : p. 43 : l. 22.

[The references are to sections, pages, and lines]

WHATEVER.

References to. § 4 : p. 41 : l. 27. § 5 : p. 42 : l. 2.

WHATSOEVER.

§ 6 : p. 42 : l. 27.

WHOLE.

Reference to. § 3 : p. 40 : l. 34.

WITHIN.

References to. § 5 : p. 42 : l. 4. § 6 : p. 42 : l. 23.

WITHOUT.

References to. § 2 : p. 40 : l. 24, 28. § 3 : p. 40 : l. 37. § 5 :
p. 42 : l. 1.

WRIT OF MANDAMUS.

Commission, if necessary, to enforce orders by, in Courts of United
States at relation of either of Interstate Commerce Commis-
sioners. § 3 : p. 41 : l. 6.

Y**YEAR.**

Reference to. § 6 : p. 43 : l. 1.

INDEX-DIGEST

ACT OF MARCH 2, 1893, AS AMENDED BY ACT OF APRIL 1, 1896. SAFETY AP-
PLIANCE ACT.

SUNDRY CIVIL ACT OF JUNE 28, 1902, AUTHORIZING APPOINTMENT OF INSPEC-
TORS TO EXECUTE AND ENFORCE REQUIREMENTS OF THE SAFETY AP-
PLIANCE ACT.

ACT OF MARCH 2, 1903, AMENDING THE SAFETY APPLIANCE ACT.

FOR DIGESTS OF THE OTHER ACTS, SEE TABLE OF CONTENTS.

A

[The references are to sections, pages, and lines]

ACT.

Section 1 of Act of March 2, 1903, extends Act of March 2, 1893, as amended, to common carriers by railroads in the Territories and the District of Columbia, etc. § 1 : p. 46 : l. 11.

Provisions of Act of March 2, 1903, shall not take effect until September 1, 1903. § 3 : p. 47 : l. 5.

Nothing in Act of March 2, 1903, shall be held or construed to relieve any common carrier, the Interstate Commerce Commission, or any United States District Attorney from any of the provisions, powers, duties, liabilities, or requirements of Act of March 2, 1893, as amended by Act of April 1, 1896. § 3 : p. 47 : l. 7.

All of the provisions, powers, duties, requirements, and liabilities of Act of March 2, 1893, as amended by Act of April 1, 1896, shall, except as specifically amended by Act of March 2, 1903, apply to said Act of March 2, 1903. § 3 : p. 47 : l. 13.

Provisions of Act of March 2, 1903, shall not take effect until September 1, 1903. § 3 : p. 47 : l. 5.

Nothing in Act of March 2, 1893, as amended by Act of April 1, 1896, shall apply to trains composed of four-wheel cars, or of eight-wheel standard logging cars, etc., or to locomotives used in hauling such trains when such cars or locomotives are exclusively used for transportation of logs. § 6 : p. 45 : l. 24.

AMENDED.

Reference to. § 3 : p. 47 : l. 12, 17. See "Act," above.

AMERICAN RAILWAY ASSOCIATION.

Authorized within ninety days from passage of Act of March 2, 1893, to designate standard height of drawbars for freight cars, etc. § 5 : p. 44 : l. 33.

Should it fail to determine a standard, etc., it shall be duty of Commission to do so before July 1, 1894, etc. § 5 : p. 45 : l. 1.

APPLIANCES.

Unlawful for common carrier engaged in interstate commerce by railroad to use on its line any locomotive engine in moving interstate traffic not equipped with a power driving-wheel brake and appliances for operating train-brake system, etc. § 1 : p. 44 : l. 3.

[The references are to sections, pages, and lines]

APPLY.

Nothing in Act of March 2, 1893, as amended by Act of April 1, 1896, shall apply to trains composed of four-wheel cars, or to trains composed of eight-wheel standard logging cars, etc., or to locomotives used in moving such trains, etc., when exclusively used for transportation of logs. § 6 : p. 45 : l. 25.

All provisions of Act of March 2, 1893, as amended by Act of April 1, 1896, shall apply unless specifically amended by Act of March 2, 1903, to said Act of March 2, 1903. § 3 : p. 47 : l. 13, 17.

The provisions and requirements of Safety Appliance Acts as to couplers shall apply in all cases whether or not the couplers brought together are of same kind, make, or type. § 1 : p. 46 : l. 12.

The Safety Appliance Acts of March 2, 1893, as amended by Act of April 1, 1896, relating to train brakes, automatic couplers, grab irons, and the height of drawbars shall apply to all trains, locomotives, tenders, cars, and similar vehicles used on any railroad engaged in interstate commerce and in the Territories and the District of Columbia, and to all other locomotives, tenders, cars, and similar vehicles used in connection therewith excepting those, etc., exempted by Section 6 of Act of March 2, 1893, as amended by Act of April 1, 1896, or which are used upon street railways. § 1 : p. 46 : l. 17

Act of March 2, 1893, as amended by Act of April 1, 1896, shall be held to apply to common carriers by railroads in the Territories and the District of Columbia. § 1 : p. 46 : l. 12.

ASSOCIATED.

All power-braked cars associated together with said fifty per centum shall have their brakes so used and operated. § 2 : p. 46 : l. 32.

ASSUMED.

Any employee, etc., injured by any locomotive, car, or train in use contrary to provisions of this Act shall not be deemed thereby to have assumed the risk thereby occasioned, etc. § 8 : p. 45 : l. 38.

AUTOMATIC.

Reference to. § 1 : p. 46 : l. 16.

AUTOMATICALLY.

On and after Jan. 1, 1898, unlawful to haul, etc., any car used in moving interstate traffic not equipped with couplers coupling automatically by impact. § 2 : p. 44 : l. 13.

[The references are to sections, pages, and lines]

B

BRAKE.

Reference to. § 1 : p. 44 : l. 3, 8.

BRAKED.

All power-braked cars in such train which are associated together with said fifty per centum shall have their brakes so used and operated. § 2 : p. 46 : l. 31.

BRAKEMEN.

Unlawful after Jan. 1, 1898, for common carrier, etc., to use, etc., any locomotive engine in moving interstate traffic, etc., or to run any train in such traffic, etc., that has not a sufficient number of cars so equipped with power or train brakes that the engineer, etc., can control its speed without requiring brakemen to use the common hand brake for that purpose. § 1 : p. 44 : l. 8.

BRAKES.

Carrier may refuse to receive cars from connecting lines of road or shippers not equipped sufficiently with such power or train brakes, etc. § 3 : p. 44 : l. 23.

See also § 1 : p. 44 : l. 6. § 1 : p. 46 : l. 7, 16. § 2 : p. 46 : l. 28, 33, 38.

The Safety Appliance Acts relating to train brakes to apply to all equipment of any railroad engaged in interstate commerce. § 1 : p. 46 : l. 16.

Whenever any train is operated with power or train brakes, not less than fifty per centum of the cars in such train shall have their brakes used and operated by the engineer of the locomotive drawing such train. § 2 : p. 46 : l. 28, 30, 33, 38.

C

CAR.

References to. § 2 : p. 44 : l. 12. § 4 : p. 44 : l. 28, 30. § 6 : p. 45 : l. 12, 27. § 8 : p. 45 : l. 36, 40.

CARS.

References to.

§ 1 : p. 44 : l. 5.

§ 5 : p. 45 : l. 6.

§ 2 : p. 44 : l. 15.

§ 6 : p. 45 : l. 25, 26, 29.

§ 3 : p. 44 : l. 18, 21, 24, 31.

§ 1 : p. 46 : l. 6, 18, 21, 22.

§ 5 : p. 44 : l. 35, 40.

§ 2 : p. 46 : l. 29, 31, 37.

CASES.

The Safety Appliance Act shall apply to all kinds, etc., of couplers used by railroad engaged in interstate commerce. § 1 : p. 46 : l. 13.

[The references are to sections, pages, and lines]

CAUSE.

Commission for good cause may extend period for compliance with provisions of Act of March 2, 1893. § 7 : p. 45 : l. 32.

CERTIFIED.

The determination of American Railway Association being certified to Commission, it shall at once give notice of the standard fixed, etc. § 5 : p. 44 : l. 41.

COMMERCE.

See "Interstate Commerce."

COMMISSION, INTERSTATE COMMERCE.

Reference to. § 4 : p. 44 : l. 27.

May from time to time after full hearing increase minimum percentage of power or train brake cars to be used. § 2 : p. 46 : l. 35.

Penalty for failure to comply with requirement of Commission. § 2 : p. 47 : l. 2.

Nothing in Act of March 2, 1903, shall relieve Commission, etc., from any of the provisions, etc., of the Act of March 2, 1893, as amended by Act of April 1, 1896. § 3 : p. 47 : l. 8.

American Railway Association may designate to Commission standard height of drawbars, etc. § 5 : p. 44 : l. 34, 41, 45.

Should said Association fail to determine standard it shall be duty of Commission to do so before July 1, 1894. § 5 : p. 45 : l. 3.

Duty of Commission to lodge with proper District Attorneys information of any such violations as may come to its knowledge. § 6 : p. 45 : l. 21.

Commission may upon full hearing and for good cause extend period of compliance with Act of March 2, 1893. § 7 : p. 45 : l. 31.

COMMITTED.

Suits for penalty for violating Act to be brought in United States District Court having jurisdiction in locality where such violation committed. § 6 : p. 45 : l. 18.

COMMON CARRIER.

References to. § 3 : p. 47 : l. 8. § 7 : p. 45 : l. 33.

Engaged in interstate commerce by railroad. References to. § 1 : p. 43 : l. 35. § 2 : p. 44 : l. 11.

COMMON CARRIERS.

By railroads, etc. Reference to. § 1 : p. 46 : l. 11.

Engaged in interstate commerce. References to. § 1 : p. 46 : l. 5. § 5 : p. 44 : l. 43. § 6 : p. 45 : l. 10. § 8 : p. 45 : l. 35, 39.

COMMON HAND BRAKE.

Reference to. § 1 : p. 44 : l. 8.

[The references are to sections, pages, and lines]

COMPANY.

Reference to. § 3 : p. 44 : l. 16.

COMPLY.

Commission may extend time within which carrier, etc., shall comply with Act of March 2, 1893. § 7 : p. 45 : l. 34.

After July 1, 1895, no cars, loaded or unloaded, shall be used in interstate traffic which do not comply with standard above provided for. § 5 : p. 45 : l. 8.

Failure to comply with requirement of Commission as to increasing minimum percentage of power or train brakes. Penalty. § 2 : p. 47 : l. 1, 3.

CONNECTING LINES.

Carrier may lawfully refuse to receive cars from connecting lines of road or shippers not equipped in accordance with Section 1 of Act of March 2, 1893, etc. § 3 : p. 44 : l. 20.

CONNECTION.

Reference to. § 1 : p. 46 : l. 21.

CONSTRUED.

Nothing in Act of March 2, 1903, shall be construed to relieve carriers or Commission, etc., from any of provisions, etc., of Act of March 2, 1893, as amended by Act of April 1, 1896. § 3 : p. 47 : l. 7.

CONTINUING.

Employee although continuing in employment shall not be deemed to have assumed risk thereby occasioned, etc. § 8 : p. 45 : l. 39.

CONTROL.

Unlawful after Jan. 1, 1898, to run any train not so equipped with power or train brakes that engineer can control its speed without requiring brakemen to use common hand brake. § 1 : p. 44 : l. 7.

CORPORATION.

Reference to. § 3 : p. 44 : l. 16.

COUPLERS.

After Jan. 1, 1898, unlawful to haul, etc., car, etc., not equipped with couplers coupling automatically by impact, etc. § 2 : p. 44 : l. 13.

Above law shall apply in all cases whether or not couplers brought together are of same kind, make, or type. § 1 : p. 46 : l. 13, 16.

COUPLING.

References to. § 2 : p. 44 : l. 13. § 4 : p. 44 : l. 31. § 6 : p. 45 : l. 27.

D

DESIGNATE.

American Railway Association authorized to designate standard height of drawbars. § 5 : p. 44 : l. 34.

DETERMINATION.

Commission shall give notice of the standard fixed upon, the determination of American Railway Association being certified to Commission. § 5 : p. 44 : l. 41.

DETERMINE.

Should said Association fail to determine a standard, etc., shall be duty of Commission to do so, etc., etc. § 5 : p. 45 : l. 1.

DISTRICT ATTORNEY OF UNITED STATES.

Shall bring suits to recover penalties for violation of Act of March 2, 1893, etc. § 6 : p. 45 : l. 15.

Nothing in Act of March 2, 1903, shall be held or construed to relieve any United States District Attorney from any of the provisions, powers, duties, liabilities, or requirements of the Act of March 2, 1893, as amended by Act of April 1, 1896. § 3 : p. 47 : l. 9.

DISTRICT ATTORNEYS.

The duty of the Commission to lodge with the proper District Attorneys information of violations, etc. § 6 : p. 45 : l. 22.

DISTRICT COURT, UNITED STATES.

Penalties for violating Act to be recovered in suits brought in District Court of United States having jurisdiction in the locality where violation committed. § 6 : p. 45 : l. 16.

DISTRICT OF COLUMBIA.

Reference to. § 1 : p. 46 : l. 12, 20.

DRAWBARS.

American Railway Association authorized to designate to Commission the standard height of drawbars for freight cars. § 5 : p. 44 : l. 35, 37, 40.

Height to be measured perpendicular from level of tops of rails to centres of the drawbars. § 5 : p. 44 : l. 37.

American Railway Association shall fix a maximum variation from such standard height to be allowed between the drawbars of empty and loaded cars. § 5 : p. 44 : l. 40.

The provisions of the Safety Appliance Acts as to height of drawbars, etc., shall apply to all equipment of any railroad engaged in interstate commerce. § 1 : p. 46 : l. 17.

[The references are to sections, pages, and lines]

DUTIES.

Nothing in Act of March 2, 1903, to relieve any carrier, the Commission, or any District Attorney, etc., from any of the duties of Act of March 2, 1893, as amended by Act of April 1, 1896. § 3 : p. 47 : l. 10.

All of the duties, etc., of Act of March 2, 1893, as amended by Act of April 1, 1896, shall, except as specifically amended by Act of March 2, 1903, apply to said Act of March 2, 1903. § 3 : p. 47 : l. 13.

DUTY.

The duty of the Commission to determine standard height of draw-bars if American Railway Association fails to determine a standard. § 5 : p. 45 : l. 2.

The duty of District Attorney to bring suits upon duly verified information being lodged with him of violations of Act. § 6 : p. 45 : l. 18.

Duty of Commission to lodge with the proper District Attorneys information of violations as may come to its knowledge. § 6 : p. 45 : l. 21.

E**EFFECT.**

Reference to. § 2 : p. 46 : l. 34.

Provisions of Act of March 2, 1903, shall not take effect until September 1, 1903. § 3 : p. 47 : l. 6.

EIGHT.

Eight-wheel standard logging cars, etc., exclusively used for transportation of logs excepted from Act of March 2, 1893. § 6 : p. 45 : l. 26.

EMPLOYEE.

Employee injured by any locomotive, car, or train in use contrary to the provision of this Act not deemed to have assumed risk of employment, etc. § 8 : p. 45 : l. 35.

EMPLOYMENT.

Employees not deemed to have assumed risk although continuing in employment of carrier after unlawful use brought to his knowledge. § 8 : p. 45 : l. 39.

EMPTY.

Prescribed maximum variation between loaded and empty cars three inches. § 8 : p. 45 : l. 46.

[The references are to sections, pages, and lines]

ENFORCE.

Commission authorized under Sundry Civil Act of June 28, 1902, to employ inspectors to execute and enforce requirements of Safety Appliance Act. § 1 : p. 47 : l. 20.

ENGAGED.

References to. § 1 : p. 43 : l. 35. § 1 : p. 46 : l. 19. § 3 : p. 44 : l. 17. § 5 : p. 44 : l. 44.

ENGINEER.

On and after Jan. 1, 1898, unlawful to use, etc., locomotive engine, etc., or run any train, etc., that has not a sufficient number of cars equipped with power or train brakes so that engineer can control its speed without brakemen to use the common hand brake. § 1 : p. 44 : l. 6.

Whenever train is operated with power or train brakes not less than fifty per centum of the cars in such train shall have their brakes used and operated by engineer of locomotive drawing such train. § 2 : p. 46 : l. 30.

EQUIPPED.

On and after Jan. 1, 1898, unlawful to haul, etc., or permit to be used any car, etc., not equipped with couplers coupling automatically by impact. § 2 : p. 44 : l. 13.

On and after Jan. 1, 1898, unlawful to use on line locomotive engine, etc., not equipped with power driving-wheel brake and appliances for operating the train-brake system. § 1 : p. 44 : l. 2.

Unlawful on and after same date to run any train in interstate traffic that has not sufficient number of cars so equipped, etc., that engineer can control speed without requiring brakemen to use common hand brake. § 1 : p. 44 : l. 5.

When any person, company, etc., engaged in interstate commerce has equipped a sufficient number of its cars to comply with Section 1 of Act of March 2, 1893, it may lawfully refuse to receive from connecting lines of road or shipper any cars not equipped sufficiently in accordance with Section 1 of said Act, etc., etc. § 3 : p. 44 : l. 18, 21.

EXCEPTING.

Certain trains, cars, and locomotives excepted from provisions of Act of March 2, 1893, as amended by Act of April 1, 1896. § 1 : p. 46 : l. 22.

EXCLUSIVELY.

Certain cars exclusively used for transportation of logs excepted from Act of March 2, 1893. § 6 : p. 45 : l. 3.

EXECUTE.

Commission authorized to employ inspectors to execute, etc., Safety Appliance Acts. § 1 : p. 47 : l. 20.

[The references are to sections, pages, and lines]

EXEMPTED.

Certain trains, cars, and locomotives exempted from operation of Act of March 2, 1893, as amended by Act of April 1, 1896. § 1 : p. 46 : l. 23.

EXTEND.

Commission upon full hearing and for good cause may extend period of compliance with provisions of Act of March 2, 1893. § 7 : p. 45 : l. 32.

F**FAILURE.**

Failure to comply with requirement of Commission as to minimum percentage of cars required to be operated with power or train brakes, etc., subject to like penalty as failure to comply with any requirement of this section. § 2 : p. 47 : l. 1, 3.

FIFTY.

Whenever train operated with power or train brakes, not less than fifty per centum of cars in such train shall have their brakes used and operated by engineer of locomotive drawing such train. § 2 : p. 46 : l. 29.

All power-braked cars in such train associated together with said fifty per centum shall have their brakes so used and operated. § 2 : p. 46 : l. 32.

FIRM.

Reference to. § 3 : p. 44 : l. 16.

FOUR.

Four-wheel cars, etc., exclusively used for transportation of logs excepted from Act of March 2, 1893. § 6 : p. 45 : l. 25.

FREIGHT CARS.

American Railway Association authorized to designate to Commission the standard height of drawbars for freight cars. § 5 : p. 44 : l. 35.

FULL.

Upon full hearing and for good cause Commission may extend time of compliance with Act of March 2, 1893. § 7 : p. 45 : l. 32.

Commission may after full hearing increase minimum percentage of cars in any train required to be operated with power or train brakes which must have their brakes used and operated, etc. § 2 : p. 46 : l. 36.

G

GAUGES.

Standard height of drawbars, etc., to be measured perpendicular from level of tops of rails to centres of drawbars for each of the several gauges of railroads in use in United States. § 5 : p. 44 : l. 37.

GOOD.

Commission on full hearing and for good cause may extend the period of compliance with Act. § 7 : p. 45 : l. 32.

GRAB.

After July 1, 1895, etc., unlawful to use any car in interstate commerce not provided with secure grab irons, etc. § 4 : p. 44 : l. 29.

Provisions of Safety Appliance Acts relating to grab irons, etc., to apply to all equipment of any railroad engaged in interstate commerce. § 1 : p. 46 : l. 16.

H

HAND BRAKE.

Reference to. § 1 : p. 44 : l. 8.

HANDHOLDS.

On and after July 1, 1895, etc., unlawful to use any car in interstate commerce not provided with secure grab irons or handholds in ends and sides of each car, etc. § 4 : p. 44 : l. 30.

HAUL.

On and after Jan. 1, 1898, unlawful to haul, etc., any car, etc., not equipped with automatic couplers. § 2 : p. 44 : l. 11.

HAULED.

Unlawful to haul or to permit to be hauled as above. § 2 : p. 44 : l. 12.

Penalty for carrier permitting to be hauled, etc., any car in violation of this Act. § 6 : p. 45 : l. 11.

HAULING.

Penalty for carrier hauling any car, etc., in violation of this Act. § 6 : p. 45 : l. 11.

HEARING.

Commission upon full hearing, etc., may extend period of compliance with this Act. § 7 : p. 45 : l. 32.

Commission after full hearing may increase minimum percentage of cars, etc., which must have power or train brakes used and operated. § 2 : p. 46 : l. 36.

[The references are to sections, pages, and lines]

HEIGHT.

Safety Appliance Acts as to height of drawbars, etc., shall apply to all equipment of any railroad engaged in interstate commerce. § 1 : p. 46 : l. 16.

American Railway Association authorized to designate to Commission standard height of drawbars, etc. § 5 : p. 44 : l. 35.

American Railway Association authorized to fix a maximum variation from standard height between drawbars of empty and loaded cars. § 5 : p. 44 : l. 39.

Eight-wheel standard logging cars where height of such car from top of rail to centre of coupling does not exceed twenty-five inches, exclusively used for transportation of logs excepted from Act of March 2, 1893. § 6 : p. 45 : l. 27.

Prescribed standard height of drawbars. § 8 : p. 45 : l. 44.

I**INCREASE.**

Commission may increase minimum percentage of power or train brake cars. § 2 : p. 46 : l. 36.

INFORMATION.

Duty of District Attorney to bring suits for violation of Act upon duly certified information being lodged with him. § 6 : p. 45 : l. 19.

Duty of Interstate Commerce Commission to lodge with proper District Attorneys information of violations as may come to its knowledge. § 6 : p. 45 : l. 22.

INJURED.

Employee injured by any locomotive car or train in use contrary to the provisions of this Act not deemed to have assumed risk of employment, etc. § 8 : p. 45 : l. 36.

INSPECTORS.

Commission authorized to employ inspectors to execute and enforce requirement of Safety Appliance Act. § 1 : p. 47 : l. 20.

INTERCHANGE.

Carrier having equipped sufficient number of its own cars, etc., may lawfully refuse to receive from connecting lines or shippers cars not sufficiently equipped with power or train brakes as will work and readily interchange with brakes in use on its own cars, etc. § 3 : p. 44 : l. 23.

INTERSTATE COMMERCE.

References to. § 1 : p. 46 : l. 19. § 4 : p. 44 : l. 28. § 5 : p. 44 : l. 44.

By railroad. References to. § 1 : p. 43 : l. 35. § 3 : p. 44 : l. 17.

[The references are to sections, pages, and lines]

INTERSTATE COMMERCE COMMISSION.

See "Commission."

INTERSTATE TRAFFIC.

References to. § 2 : p. 44 : l. 2, 12. § 5 p. 45 : l. 7.

IRONS.

On and after July 1, 1895, etc., unlawful to use any car in interstate commerce not provided with secure grab irons, etc. § 4 : p. 44 : l. 29.

Safety Appliance Acts relating to grab irons, etc., to apply to all equipment of any railroad engaged in interstate commerce. § 1 : p. 46 : l. 16.

J**JURISDICTION.**

Suits for violation of Act to be brought in United States District Court having jurisdiction in locality where violation committed. § 6 : p. 45 : l. 16.

K**KIND.**

Safety Appliance Acts as to automatic couplers, etc., shall apply in all cases whether or not the couplers brought together are of the same kind, make, or type. § 1 : p. 46 : l. 14.

KNOWLEDGE.

Duty of Commission to lodge with proper District Attorneys information of any violations of Act as may come to its knowledge. § 6 : p. 45 : l. 23.

Employee injured by any locomotive car or train in use contrary to the provisions of this Act not deemed to have assumed risk of employment although continuing in employment after unlawful use of such locomotive, etc., had been brought to his knowledge. § 8 : p. 45 : l. 41.

L**LEASE.**

Not less than fifty per centum of cars shall be used and operated by power or train brakes. § 2 : p. 46 : l. 28.

LESSEES.

Notice shall be given by Commission of prescribed standard to all common carriers, owners, or lessees, etc. § 5 : p. 44 : l. 44.

[The references are to sections, pages, and lines]

LIABILITIES.

Nothing in Act of March 2, 1903, shall relieve any common carrier, the Commission, or any United States District Attorney from any of the liabilities, etc., of Act of March 2, 1893, as amended by Act of April 1, 1896. § 3 : p. 47 : l. 10.

All of the liabilities, etc., of Act of March 2, 1893, as amended by Act of April 1, 1896, shall apply to Act of March 2, 1903, except as specifically amended by said latter Act. § 3 : p. 47 : l. 14.

LINE.

On and after Jan. 1, 1898, unlawful for any common carrier, etc., to use on its line any locomotive engine, etc., not equipped with power driving-wheel brake and appliances. § 1 : p. 44 : l. 1.

LOADED.

American Railway Association shall fix maximum variation from standard height to be allowed between the drawbars of empty and loaded cars. § 5 : p. 44 : l. 40.

After July 1, 1895, no cars, either loaded or unloaded, shall be used in interstate traffic which do not comply with prescribed standard. § 5 : p. 45 : l. 6.

Prescribed maximum variation between loaded and empty cars, three inches. § 8 : p. 45 : l. 46.

LOCALITY.

Suits for violation of Act to be brought in United States District Court having jurisdiction in locality where violation committed. § 6 : p. 45 : l. 17.

LOCOMOTIVE.

After Jan. 1, 1898, unlawful for any common carrier, etc., to use on its line any locomotive engine, etc., not equipped with power driving-wheel brake and appliances for operating train-brake system. § 1 : p. 44 : l. 1.

Penalty for violation of above. § 6 : p. 45 : l. 10.

References to. § 1 : p. 44 : l. 6. § 2 : p. 46 : l. 30.

Any employee injured by any locomotive, etc., in use in violation of Act shall not be deemed to have assumed risk thereby occasioned although continuing in employment after unlawful use of locomotive, etc., brought to his knowledge. § 8 : p. 45 : l. 36, 40.

LOCOMOTIVES.

Nothing in Act of March 2, 1893, shall apply to locomotives used in hauling four-wheel and eight-wheel standard logging cars, etc., when such cars or locomotives are exclusively used for transportation of logs. § 6 : p. 45 : l. 28, 29.

Safety Appliance Acts shall apply to all locomotives, etc., of any railroad engaged in interstate commerce and to all other locomotives, etc., used in connection therewith except locomotives,

[The references are to sections, pages, and lines]

LOCOMOTIVES (Continued).

etc., exempted by Section 6 of Act of March 2, 1893, as amended by Act of April 1, 1896, or which are used upon street railways. § 1 : p. 46 : l. 17, 20, 22.

LODGE.

Duty on Commission to lodge information of violations of Act with the proper District Attorneys. § 6 : p. 45 : l. 22.

LODGED.

Duty of District Attorney to bring suits for violation of Act upon duly verified information being lodged with him of such violation. § 6 : p. 45 : l. 20.

LOGGING.

Logging cars exclusively used for transportation of logs excepted from Act of March 2, 1893, as amended by Act of April 1, 1896. § 6 : p. 45 : l. 26.

LOGS.

Four-wheel and eight-wheel logging cars and locomotives hauling such trains excepted from Act where exclusively used for transportation of logs. § 6 : p. 45 : l. 30.

M

MAKE.

Provisions of Safety Appliance Acts to apply to all couplers brought together whether or not of same kind, make, or type. § 1 : p. 46 : l. 14.

MAXIMUM.

American Railway Association shall fix maximum variation from standard height to be allowed between the drawbars of empty and loaded cars. § 5 : p. 44 : l. 38.

Such maximum variation fixed at three inches. § 8 : p. 45 : l. 45.

MINIMUM.

Commission after full hearing may increase minimum percentage of cars in any train which must have their brakes used and operated with power or train brakes. § 2 : p. 46 : l. 36.

MOVING.

On and after Jan. 1, 1898, unlawful for any carrier, etc., to use on its line any locomotive engine in moving interstate traffic not equipped with a power driving-wheel brake and appliances for operating train-brake system. § 1 : p. 44 : l. 1.

On and after Jan. 1, 1898, unlawful to haul or permit to be hauled or used on its line any car used in interstate traffic not equipped with couplers coupling automatically by impact, etc. § 2 : p. 44 : l. 12.

N

NARROW GAUGE.

Prescribed standard height of drawbars for narrow-gauge roads, twenty-six inches. § 8 : p. 45 : l. 45.

NOTICE.

If American Railway Association fails to determine standard height of drawbars it shall be duty of Commission to do so before July 1, 1894, and immediately to give notice thereof. § 5 : p. 45 : l. 5.

O

OCCASIONED.

Employee injured shall not be deemed to have assumed risk occasioned by continuing in employment of carrier after unlawful use of locomotive, car, or train, etc., has been brought to his knowledge. § 8 : p. 45 : l. 38.

OPERATED.

Whenever train is operated with power or train brakes not less than fifty per centum of the cars in such train shall have their brakes used and operated by the engineer of the locomotive drawing such train. § 2 : p. 46 : l. 28, 30.

All power-braked cars in such train which are associated together with said fifty per centum shall have their brakes so used and operated. § 2 : p. 46 : l. 33.

Commission after full hearing may increase minimum percentage of cars in any train required to be operated with power or train brakes which must have their brakes used and operated as aforesaid. § 2 : p. 46 : l. 37, 38.

OPERATING.

On and after Jan. 1, 1898, unlawful for any common carrier engaged in interstate commerce by railroad to use, etc., locomotive engine, etc., not equipped with power driving-wheel brake and appliances for operating the train-brake system. § 1 : p. 44 : l. 3.

OWNERS.

Commission shall give notice to all common carriers, owners, or lessees engaged in interstate commerce in the United States, of standard prescribed by American Railway Association. § 5 : p. 44 : l. 44.

[The references are to sections, pages, and lines]

P

PENALTY.

Penalty for violating Act of March 2, 1893, as amended by Act of April 1, 1896 : \$100 for each and every such violation. § 6 : p. 45 : l. 13.

Failure to comply with Order of Commission increasing minimum percentage of cars to be operated with power or train brakes, etc. Same penalty as for failure to comply with any requirement of this section. § 2 : p. 47 : l. 3.

PER CENTUM.

Whenever train operated with power or train brakes, not less than fifty per centum of the cars shall have their brakes used and operated by the engineer of locomotive drawing such train. § 2 : p. 46 : l. 29.

All power-brake cars in such train associated together with said fifty per centum shall have their brakes so used and operated. § 2 : p. 46 : l. 32.

PERCENTAGE.

Commission after full hearing may increase minimum percentage of power or train braked cars to be used. § 2 : p. 46 : l. 36.

PERIOD.

Commission upon full hearing and for good cause may extend period of compliance with Act of March 2, 1893, as amended by Act of April 1, 1896. § 7 : p. 45 : l. 33.

PERSON.

Reference to. § 3 : p. 44 : l. 16.

POWER DRIVING-WHEEL BRAKE.

Reference to. § 1 : p. 44 : l. 2.

POWER OR TRAIN BRAKES.

References to. § 1 : p. 44 : l. 6. § 3 : p. 44 : l. 22.

Whenever any train operated with power or train brakes, not less than fifty per centum of the cars in such train shall have their brakes used and operated by engineer of locomotive drawing such train. § 2 : p. 46 : l. 28.

Commission after full hearing may increase minimum percentage of cars required to be operated with power or train brakes. § 2 : p. 46 : l. 37.

POWER-BRAKED.

All power-braked cars associated together with said fifty per centum shall have their brakes so used and operated. § 2 : p. 46 : l. 31.

[The references are to sections, pages, and lines]

POWERS.

Nothing in Act of March 2, 1903, shall relieve any common carrier, the Commission, or any United States District Attorney from any of the provisions, powers, duties, liabilities, or requirements of Act of March 2, 1893, as amended by Act of April 1, 1896. § 3 : p. 47 : l. 10.

All of the provisions, powers, duties, requirements, and liabilities of Act of March 2, 1893, as amended by Act of April 1, 1896, shall apply to Act of March 2, 1903, except as specifically amended by said latter Act. § 3 : p. 47 : l. 13.

PRESCRIBED.

Prescribed standard height of drawbars fixed. § 8 : p. 45 : l. 44.

PROPER.

Commission to give notice of standard height of drawbars fixed by American Railway Association by such means as it may deem proper. § 5 : p. 45 : l. 1.

PROVIDED.

Logging cars and locomotives exclusively used for transportation of logs excepted from Act. § 6 : p. 45 : l. 24.

As provided in Act. Reference to. § 2 : p. 46 : l. 27.

PROVISIONS OF ACT.

References to.

§ 3 : p. 44 : l. 19.

§ 8 : p. 45 : l. 37.

§ 6 : p. 45 : l. 12.

§ 1 : p. 46 : l. 3, 14, 23.

§ 7 : p. 45 : l. 34.

§ 3 : p. 47 : l. 5, 9, 13.

R**RAILROAD.**

References to. § 1 : p. 43 : l. 35. § 1 : p. 46 : l. 17.

RAILROAD COMPANY.

Reference to. § 4 : p. 44 : l. 28.

RAILROADS.

References to. § 5 : p. 44 : l. 38. § 1 : p. 46 : l. 11.

RAILS.

Reference to. § 5 : p. 44 : l. 36.

RAILWAYS, STREET.

Safety Appliance Acts shall not apply to equipment, etc., used upon street railways. § 1 : p. 46 : l. 26.

[The references are to sections, pages, and lines]

RECOVERED.

Suits for penalty for violation of Act to be recovered in United States District Court having jurisdiction in locality where violation committed. § 6 : p. 45 : l. 14.

REFERENCE TO OTHER ACTS AND SECTIONS.

To Section 1 of Act of March 2, 1893. § 3 : p. 44 : l. 19, 22.

To Section 6 of Act of March 2, 1893, as amended by Act of April 1, 1896. § 1 : p. 46 : l. 23.

To Act of March 2, 1893, as amended by Act of April 1, 1896. § 3 : p. 47 : l. 11, 14.

REFUSE.

Carrier having equipped sufficient number of its cars to comply with provisions of Act of March 2, 1893, may refuse to receive from connecting lines of road or shippers any cars not equipped sufficiently, etc. § 3 : p. 44 : l. 20.

RELIEVE.

Nothing in Act of March 2, 1903, shall be held or construed to relieve any common carrier, the Commission, or any United States District Attorney from any of the provisions, etc., of Act of March 2, 1893, as amended by Act of April 1, 1896. § 3 : p. 47 : l. 7.

REQUIRED.

Commission after full hearing may increase minimum percentage of cars in any train required to be operated with power or train brakes. § 2 : p. 46 : l. 37.

REQUIREMENT.

Penalty for failure to comply with requirement of Commission as to increasing minimum percentage of power or train brake cars to be used. § 2 : p. 47 : l. 2, 4.

REQUIREMENTS.

References to. § 1 : p. 46 : l. 3, 15. § 3 : p. 47 : l. 10, 14. § 1 : p. 47 : l. 21.

RISK.

Employee injured by locomotive car or train used in violation of Act shall not be deemed thereby to have assumed the risk, etc. § 8 : p. 45 : l. 38.

ROADS.

Prescribed standard height of drawbars for standard-gauge roads thirty-four and a half inches. § 8 : p. 45 : l. 44.

Same for narrow-gauge roads, twenty-six inches. § 8 : p. 45 : l. 45.

RUNNING.

Penalty for common carrier running any train, etc., in violation of Act, \$100 for each and every such violation. § 6 : p. 45 : l. 10.

S

SAFETY APPLIANCE ACTS.

References to. § 1 : p. 46 : l. 9. § 1 : p. 47 : l. 11, 14. § 1 : p. 47 : l. 21. § 1 : p. 46 : l. 23.

SECURE.

On and after July 1, 1895, until otherwise ordered by Commission unlawful for any railroad company to use any car in interstate commerce not provided with secure grab irons or handholds, etc. § 4 : p. 44 : l. 29.

SECURITY.

Reference to. § 4 : p. 44 : l. 31.

SHIPPERS.

Carrier may lawfully refuse to receive from shippers cars not equipped sufficiently, etc. § 3 : p. 44 : l. 21.

SIMILAR.

Reference to. § 1 : p. 46 : l. 18, 21.

SPECIFICALLY.

Reference to. § 3 : p. 47 : l. 17.

SPEED.

On and after Jan. 1, 1898, unlawful to use engine or run train, etc., without sufficient number of cars equipped with power or train brakes so that engineer can control its speed without requiring brakemen to use common hand brake. § 1 : p. 44 : l. 7.

STANDARD.

American Railway Association authorized to designate standard height of drawbars for freight cars, etc. § 5 : p. 44 : l. 35.

May also fix standard height between drawbars of empty and loaded cars. § 5 : p. 44 : l. 39.

Commission shall at once give notice of standard fixed, etc. § 5 : p. 44 : l. 43.

If said association fails to determine a standard it shall be duty of Commission to do so before July 1, 1894, etc. § 5 : p. 45 : l. 2.

After July 1, 1895, no cars loaded or unloaded shall be used in interstate traffic which do not comply with the standard above provided for. § 5 : p. 45 : l. 8.

Prescribed standard height of drawbars. § 8 : p. 45 : l. 44.

STREET RAILWAYS.

Excepted from Act of March 2, 1893, as amended by April 1, 1896. § 1 : p. 46 : l. 26.

[The references are to sections, pages, and lines]

SUIT.

Penalties for violations of Act to be recovered in a suit or suits to be brought by United States District Attorney in United States District Court having jurisdiction in locality where violation committed. § 6 : p. 45 : l. 14.

SUNDRY CIVIL ACT OF JUNE 28, 1902.

Commission authorized to employ inspectors to execute and enforce the requirements of the Safety Appliance Act. § 1 : p. 47 : l. 19.

SYSTEM, TRAIN-BRAKE.

Reference to. § 1 : p. 44 : l. 3.

T**TENDERS.**

Safety Appliance Act to apply to all tenders and other equipment used by any railroad engaged in interstate commerce. § 1 : p. 46 : l. 18.

TERRITORIES.

Reference to. § 1 : p. 46 : l. 11, 19.

Act of March 2, 1893, as amended by Act of April 1, 1896, shall be held to apply to common carriers by railroads in the Territories and the District of Columbia. § 1 : p. 46 : l. 11, 19.

TRAFFIC.

Reference to. § 1 : p. 44 : l. 4.

TRAIN.

References to. § 1 : p. 44 : l. 4, 7. § 6 : p. 45 : l. 11. § 8 : p. 45 : l. 36, 40. § 2 : p. 46 : l. 28, 29, 31, 32, 37.

TRAIN BRAKE.

On and after Jan. 1, 1898, unlawful, etc., to use any locomotive engine, etc., not equipped with appliances for operating train-brake system. § 1 : p. 44 : l. 3.

TRAIN BRAKES.

On and after Jan. 1, 1898, unlawful to run any train, etc., not equipped with power or train brakes so that engineer can control its speed without use of common hand brake. § 3 : p. 44 : l. 6.

Carrier may lawfully refuse to receive from connecting lines of road or shippers cars not equipped sufficiently with such power or train brakes, etc. § 3 : p. 44 : l. 22.

Provisions of Act of March 2, 1893, as amended by Act of April 1, 1896, relating to train brakes, etc., shall apply to all equipment of any railroad engaged in interstate commerce. § 1 : p. 46 : l. 15.

[The references are to sections, pages, and lines]

TRAIN BRAKES (Continued).

Whenever any train is operated with power or train brakes not less than fifty per centum of the cars in such train shall have their brakes used and operated by engineer of locomotive drawing such train. § 2 : p. 46 : l. 28.

Commission after full hearing may increase minimum percentage of cars required to be operated with power or train brakes. § 2 : p. 46 : l. 38.

TRAINS.

Reference to. § 6 : p. 45 : l. 29.

Safety Appliance Acts shall apply to all trains, equipment, etc., of any railroad engaged in interstate commerce. § 1 : p. 46 : l. 17.

Certain trains and locomotives used exclusively for transportation of logs, etc., accepted. § 1 : p. 45 : l. 25, 29. § 1 : p. 46 : l. 22.

TRANSPORTATION.

Four-wheel and eight-wheel cars, locomotives, etc., exclusively used for transportation of logs excepted from Act of March 2, 1893, as amended by Act of April 1, 1896. § 6 : p. 45 : l. 30.

TYPE.

Provisions of Safety Appliance Acts as to automatic couplers shall apply in all cases, whether or not the couplers brought together are of the same kind, make, or type. § 1 : p. 46 : l. 14.

U**UNCOUPLED.**

On and after Jan. 1, 1898, unlawful to haul, etc., car used in moving interstate traffic not equipped with couplers coupling automatically by impact and which can be uncoupled without necessity of men going between ends of cars. § 2 : p. 44 : l. 14.

UNITED STATES.

Reference to. § 5 : 44 : l. 38, 45.

UNITED STATES DISTRICT ATTORNEY.

To bring suits for violations of Act. § 6 : p. 45 : l. 15.

Nothing in Act of March 2, 1903, shall relieve any United States District Attorney from any of the provisions, powers, duties, liabilities, or requirements of Act of March 2, 1893, as amended by Act of April 1, 1896. § 3 : p. 47 : l. 9.

UNITED STATES DISTRICT COURT.

Suits for violation of Act to be brought in District Court of United States having jurisdiction in the locality where violation committed. § 5 : p. 45 : l. 16.

[The references are to sections, pages, and lines]

UNLAWFUL.

- On and after Jan. 1, 1898, unlawful for any common carrier engaged in interstate commerce by railroad to use any locomotive engine not equipped with power driving-wheel brakes and appliances, etc., as herein provided, or to run any train without sufficient number of cars equipped with said brakes so that engineer can control its speed without use of common hand brake. § 1 : p. 43 : l. 34.
- On and after Jan. 1, 1898, to haul or permit to be hauled or used on its line any car used in moving interstate traffic not equipped with automatic couplers, etc. § 2 : p. 44 : l. 10.
- On and after July 1, 1895, unlawful until otherwise ordered by Commission to use any car in interstate commerce not provided with secure grab irons or handholds in ends and sides of each car, etc. § 4 : p. 44 : l. 27.
- Employee injured by any locomotive car or train in use in violation of Act not deemed to have assumed risk of employment although continuing in employment after such unlawful use of locomotive, etc., brought to his knowledge. § 8 : p. 45 : l. 40.

UNLOADED.

- After July 1, 1895, no cars, either loaded or unloaded, shall be used in interstate traffic which do not comply with the prescribed standard. § 5 : p. 45 : l. 7.

USE.

- References to. § 1 : p. 44 : l. 1. § 8 : p. 45 : l. 36, 40.

USED.

- References to. § 2 : p. 44 : l. 12. § 1 : p. 46 : l. 18. § 2 : p. 46 : l. 30, 33, 38.
- After July 1, 1895, no cars, loaded or unloaded, shall be used in interstate traffic which do not comply with prescribed standard. § 5 : p. 45 : l. 7.
- Penalty for hauling or permitting any car to be hauled or used on its line in violation of Act. § 6 : p. 45 : l. 11.
- Certain cars and locomotives exclusively used for transportation of logs excepted from Act of March 2, 1893, as amended by Act of April 1, 1896. § 6 : p. 45 : l. 30.
- Safety Appliance Acts not to apply to equipment used, etc., upon street railways. § 1 : p. 46 : l. 26.

USING.

- Penalty for using any engine, etc., in violation of Act: \$100 for each and every violation. § 6 : p. 45 : l. 10.

[The references are to sections, pages, and lines]

V

VARIATION.

American Railway Association shall fix maximum variation from standard height of drawbars to be allowed between the drawbars of empty and loaded cars. § 5 : p. 44 : l. 39.

Prescribed maximum variation between loaded and empty cars three inches. § 8 : p. 45 : l. 45.

VEHICLES.

Reference to. § 1 : p. 46 : l. 18, 21.

VERIFIED.

Duty of District Attorney to bring suits for violation of Act upon duly verified information being lodged with him of such violation. § 6 : p. 45 : l. 19.

VIOLATION.

Penalty for violation of any of the provisions of this Act: \$100 for each and every such violation. § 6 : p. 45 : l. 12, 14.

Venue of suit for violation of Act to be in United States District Court having jurisdiction in locality where violation committed. § 6 : p. 45 : l. 17.

Duty of District Attorney to bring suits for violation of Act upon duly verified information being lodged with him of such violation. § 6 : p. 45 : l. 20.

VIOLATIONS.

Duty of Commission to lodge with the proper District Attorneys information of any such violations of Act as may come to its knowledge. § 6 : p. 45 : l. 23.

INDEX-DIGEST

JOINT RESOLUTION OF JUNE 30, 1906, DIRECTING INTERSTATE COMMERCE COMMISSION TO INVESTIGATE AND REPORT ON BLOCK-SIGNAL SYSTEM AND APPLIANCES FOR THE AUTOMATIC CONTROL OF RAILWAY TRAINS.

FOR DIGESTS OF THE OTHER ACTS, SEE TABLE OF CONTENTS.

A

[The references are to sections, pages, and lines]

ADMINISTER.

Power in Commission to administer oaths, etc. § 1 : p. 47 : l. 37.

ADVISABLE.

Commission may recommend in its report to Congress such legislation as seems advisable. § 1 : p. 47 : l. 34.

APPLIANCES.

Commission to investigate and report on use of and necessity for block-signal systems and appliances, etc. § 1 : p. 47 : l. 26.

AUTHORIZED.

Commission authorized to employ persons familiar with the subject. § 1 : p. 47 : l. 28.

AUTOMATIC.

To investigate and report on block-signal systems and appliances for automatic control of railway trains. § 1 : p. 47 : l. 26.

B

BEFORE.

Depositions may be taken before any proper officer in any State or Territory. § 1 : p. 48 : l. 1.

BLOCK-SIGNAL.

Investigation as to block-signal systems. § 1 : p. 47 : l. 26.

BOOKS AND PAPERS.

Commission may require production of books and papers. § 1 : p. 47 : l. 38.

C

CARRY OUT.

Commission to have power to take testimony, etc., to carry out provisions of resolution. § 1 : p. 47 : l. 35.

COMMISSION, INTERSTATE COMMERCE.

Reference to. § 1 : p. 47 : l. 24, 28, 32, 33, 36.

[The references are to sections, pages, and lines]

CONGRESS.

Reference to. § 1 : p. 47 : l. 32.

CONTROL.

To investigate block-signal systems and appliances for the automatic control of railway trains, etc. § 1 : p. 47 : l. 26.

D**DEPOSITIONS.**

Commission may receive depositions, etc. § 1 : p. 47 : l. 38.

DIRECTED.

Commission directed to investigate and report, etc. § 1 : p. 47 : l. 25.

E**EFFECT.**

Commission may take testimony, etc., to give effect to provisions of this resolution. § 1 : p. 47 : l. 35.

EMPLOY.

Commission authorized to employ persons familiar with the subject. § 1 : p. 47 : l. 28.

EMPLOYEES.

May use its own employees in examination. § 1 : p. 47 : l. 30.

EXAMINATION.

To make thorough examination into the matter. § 1 : p. 47 : l. 31.

EXAMINE.

Commission may examine witnesses. § 1 : p. 47 : l. 37.

F**FAMILIAR.**

May employ persons familiar with the subject. § 1 : p. 47 : l. 29.

G**GIVE.**

Commission may take testimony, etc., to give effect to provisions of this resolution. § 1 : p. 47 : l. 35.

I

INVESTIGATE.

Commission directed to investigate as to block-signal systems and appliances, etc. § 1 : p. 47 : l. 25.

ISSUE.

Commission shall have power to issue subpoenas, etc. § 1 : p. 47 : l. 36.

L

LEGISLATION.

Commission shall recommend such legislation as seems advisable in its report to Congress. § 1 : p. 47 : l. 30.

M

MAKE.

Reference to. § 1 : p. 47 : l. 30.

MATTER.

Reference to. § 1 : p. 47 : l. 31.

N

NECESSARY.

Reference to. § 1 : p. 47 : l. 30.

NECESSITY.

Commission to investigate and report on use of and necessity for block-signal systems and appliances, etc. § 1 : p. 47 : l. 25.

O

OATHS.

Commission may administer oaths. § 1 : p. 47 : l. 37.

OFFICER.

Commission may receive depositions taken before any proper officer in any State or Territory, etc. § 1 : p. 48 : l. 1.

P

PAPERS.

Commission may require production of books and papers. § 1 : p. 47 : l. 38.

PERSONS.

Reference to. § 1 : p. 47 : l. 29.

POWER.

Commission shall have power to issue subpoenas, administer oaths, examine witnesses, require production of books and papers, receive depositions, etc. § 1 : p. 47 : l. 36.

PRODUCTION.

Commission may require production of books and papers. § 1 : p. 47 : l. 38.

PROPER.

Commission may receive depositions taken before any proper officer in any State or Territory. § 1 : p. 48 : l. 1.

PROVISIONS OF RESOLUTION.

Reference to. § 1 : p. 47 : l. 35.

PURPOSE.

Reference to. § 1 : p. 47 : l. 28.

R

RAILWAY.

Reference to. § 1 : p. 47 : l. 27.

RECEIVE.

Commission may receive depositions, etc. § 1 : p. 47 : l. 38.

RECOMMEND.

Commission shall recommend legislation in report. § 1 : p. 47 : l. 33.

REPORT.

Commission directed to report, etc. § 1 : p. 47 : l. 25.

Shall transmit report to Congress with recommendations as to legislation. § 1 : p. 47 : l. 32.

REQUIRE.

Commission may require production of books and papers. § 1 : p. 47 : l. 37.

RESOLUTION.

Reference to. § 1 : p. 47 : l. 36.

S

SEEMS.

Commission may recommend such legislation in its report as seems advisable. § 1 : p. 47 : l. 34.

STATE.

Reference to. § 1 : p. 48 : l. 1.

SUBJECT.

Reference to. § 1 : p. 47 : l. 29.

SUBPŒNAS.

Commission shall issue subpœnas. § 1 : p. 47 : l. 36.

SYSTEMS.

Block-signal. § 1 : p. 47 : l. 26.

T

TAKEN.

Reference to. § 1 : p. 48 : l. 1.

TERRITORY.

Reference to. § 1 : p. 48 : l. 1.

THOROUGH.

Reference to. § 1 : p. 47 : l. 31.

TRAINS.

Reference to. § 1 : p. 47 : l. 27.

TRANSMITTING.

Reference to. § 1 : p. 47 : l. 32.

U

UNITED STATES.

References to. § 1 : p. 47 : l. 27. § 1 : p. 48 : l. 2.

USE.

Commission to investigate and report on use of and necessity for block-signal systems and appliances, etc. § 1 : p. 47 : l. 25.

Commission may use such of its employees as are necessary, etc. § 1 : p. 47 : l. 29.

W

WITNESSES.

Commission shall have power to issue subpœnas, administer oaths, examine witnesses, require production of books and papers, and receive depositions. § 1 : p. 47 : l. 37.

INDEX-DIGEST

ACT OF FEBRUARY 28, 1902, SECTIONS 18 AND 19. APPROVAL BY COMMISSION
OF INTERLOCKING OR AUTOMATIC SIGNALS AT CROSSINGS, ETC.

FOR DIGESTS OF THE OTHER ACTS, SEE TABLE OF CONTENTS.

A

[The references are to sections, pages, and lines]

ACTION.

Company may recover in action at law from other company one-half total cost of erecting and maintaining interlocking or automatic signals or works or fixtures, etc., where approved by and permission granted by Commission. § 19 : p. 48 : l. 39.

APPROVED.

Lawful for engines and trains to pass over crossing without stopping where interlocking or automatic signals or works or fixtures shall be approved by Interstate Commerce Commissioners. § 18 : p. 48 : l. 10.

AUTOMATIC.

Approval by Commission of interlocking or automatic signals at crossings. § 18 : p. 48 : l. 6, 9.

Either of roads crossing may apply to Interstate Commerce Commissioners for permission to introduce upon both of said railroads some system of interlocking or automatic signals, etc. § 18 : p. 48 : l. 19.

Railroad which has obtained permission to introduce system of interlocking or automatic signals, etc., may introduce and erect same. § 19 : p. 48 : l. 27, 31.

If other railroad company after notice refuses to join in construction, other company may recover in action at law one-half of total cost of erecting and maintaining such interlocking or automatic signals, etc. § 19 : p. 49 : l. 2.

C

COMMISSION.

Reference to. § 18 : p. 48 : l. 24.

COMMISSIONERS, INTERSTATE COMMERCE.

Reference to. § 19 : p. 48 : l. 11, 17, 22.

COMMON GRADE.

Two or more railroads crossing at common grade may pass over such crossing without stopping on approval by Commission of interlocking or automatic signals, etc., at crossings. § 18 : p. 48 : l. 5, 15. § 19 : p. 48 : l. 28.

[The references are to sections, pages, and lines]

COMPANY.

References to. § 18 : p. 48 : l. 23. § 19 : p. 48 : l. 26, 30, 32, 33, 35, 36, 39.

CONSTRUCTION.

Where one railroad refuses to join with another in construction of interlocking or automatic signals, etc., the former may construct same with approval of the Commission, etc. § 19 : p. 48 : l. 34.

CONTRARY.

When Commission has approved interlocking, etc., signals, railroads may pass over crossing without stopping, any law, etc., to contrary notwithstanding. § 18 : p. 48 : l. 13.

COST.

Railroad erecting interlocking or automatic signals, etc., may recover one-half total cost from other road, etc. § 19 : p. 49 : l. 1.

CROSS.

When two or more railroads cross each other at a common grade, etc. § 18 : p. 48 : l. 15.

D

DAYS.

Railroad company which has obtained permission to introduce system of interlocking or automatic signals at its crossing at a common grade with any other railroad, etc., may erect same after thirty days' notice in writing to other railroad company, etc. § 19 : p. 48 : l. 30.

DUTY.

Duty of Interstate Commerce Commissioners to grant permission to introduce interlocking or automatic signals, etc., if proposed system in opinion of Commission is sufficient and proper. § 18 : p. 48 : l. 21.

E

ENGINES.

Commission may approve system of signals, etc., which render it safe for engines, etc., to pass over crossing at grade without stopping. When approved by Interstate Commerce Commissioners, lawful for engines, etc., to pass over such crossing without stopping, etc. § 18 : p. 48 : l. 7, 12.

When two or more railroads cross at common grade either may apply to Interstate Commerce Commissioners for permission to introduce upon both of said railroads some system of interlocking or automatic signals, etc., rendering it safe for engines, etc., to pass over such crossings without stopping. § 18 : p. 48 : l. 20.

[The references are to sections, pages, and lines]

ENTER.

Company having obtained permission from Commission may enter upon right of way and tracks of other company and erect such works and fixtures, etc. § 19 : p. 48 : l. 35.

ERECT.

Duty of Commissioners to grant permission if system of works and fixtures which it is proposed to erect, etc., are, in opinion of Commission, sufficient and proper. § 18 : p. 48 : l. 23.

Company having obtained permission from Commission after thirty days' notice in writing to other railroad company may introduce and erect interlocking or automatic signals or fixtures, etc. § 18 : p. 48 : l. 31.

If other company on notification refuses to join company may enter upon right of way and tracks, etc., and erect such works and fixtures. § 19 : p. 48 : l. 38.

ERECTED.

Commission may approve system of interlocking or automatic signals to be erected by two or more railroads crossing each other at common grade. § 18 : p. 48 : l. 7.

ERECTING.

Company may recover in action at law one-half total cost of erecting, etc., such interlocking, etc., signals, etc., from ther company which refuses to join. § 19 : p. 49 : l. 1.

F**FIXTURES.**

Road may recover in action at law one-half of total cost of erecting and maintaining interlocking or automatic signals or works or fixtures on both of said roads. § 19 : p. 49 : l. 2.

References to. § 18 : p. 48 : l. 7, 10, 19, 22. § 19 : p. 48 : l. 32, 35, 38.

G**GRADE.**

Railroads crossing at common grade, etc. § 18 : p. 48 : l. 5, 15.
§ 19 : p. 48 : l. 28.

GRANT.

Duty of Commission to grant permission to erect interlocking, etc., signals, etc., if system of works and fixtures it is proposed to erect by company are in its opinion sufficient and proper. § 18 : p. 48 : l. 24.

H

HALF.

Road erecting and maintaining system of interlocking, etc., signals, etc., entitled to recover one-half of total cost from other road, § 19 : p. 49 : l. 1.

I

IMPEDE.

Railroad may enter upon right of way and tracks of company refusing to join in erection of interlocking, etc., signals and erect such works and fixtures, etc., in such manner as to not unnecessarily impede operation of such road. § 19 : p. 48 : l. 37.

INTERLOCKING SIGNALS.

References to. § 18 : l. 6, 9, 18. § 19 : p. 48 : l. 27, 31.

Road may recover in action at law one-half total cost of erecting and maintaining such interlocking, etc., signals. § 19 : p. 49 : l. 2.

INTERSTATE COMMERCE COMMISSION.

See "Commission."

INTERSTATE COMMERCE COMMISSIONERS.

See "Commissioners."

INTRODUCE.

Either of two or more railroads crossing at common grade may apply to Interstate Commerce Commissioners for permission to introduce upon both of said railroads some system of interlocking, etc., signals. § 18 : p. 48 : l. 17. § 19 : p. 48 : l. 27, 31.

J

JOIN.

If railroad company after notification refuses to join, other may enter and construct system of interlocking, etc., signals and recover in action of law one-half of total cost, etc. § 19 : p. 48 : l. 33, 39.

L

LAW.

Company may recover in action at law one-half total cost of erecting and maintaining interlocking or automatic signals, etc., on both of said roads. § 19 : p. 48 : l. 39.

Railroads may cross crossing at grade without stopping when Commission has approved system of interlocking, etc., signals, etc., any law to the contrary notwithstanding. § 18 : p. 48 : l. 14.

M

MAINTAINING.

Railroad may recover from another in action at law one-half total cost erecting and maintaining interlocking or automatic signals, etc. § 19 : p. 49 : l. 1.

N

NOTICE; NOTIFICATION.

Company which has obtained permission to introduce system of interlocking, etc., signals may after thirty days' notice to other company introduce and erect such signals, etc., if such other company after such notification refuses to join. § 19 : p. 48 : l. 30, 33, 34.

NOTWITHSTANDING.

Any law to the contrary notwithstanding. § 18 : p. 48 : l. 14.

O

OPERATION.

Company putting in interlocking, etc., signals must do work in such manner as not unnecessarily to impede operation of other railroad crossing at grade. § 19 : p. 48 : l. 37.

OPINION.

Duty of Interstate Commerce Commissioners to grant permission to introduce interlocking, etc., signals if the proposed system is sufficient and proper in the opinion of the Commission. § 1 : p. 48 : l. 24.

P

PASS.

Lawful to pass over crossing without stopping if interlocking, etc., signals approved by Interstate Commerce Commissioners. § 18 : p. 48 : l. 8, 13, 19.

PERMISSION.

Railroad may apply to Interstate Commerce Commissioners for permission to introduce upon both railroads some system of interlocking, etc., signals. § 18 : p. 48 : l. 17.

Duty of Commission to grant permission if system sufficient and proper. § 18 : p. 48 : l. 25. See also § 19 : p. 48 : l. 27.

R

RAILROAD.

References to. § 18 : p. 48 : l. 12. § 19 : p. 48 : l. 26, 29, 30, 32, 33.

RAILROAD COMPANY.

Reference to. § 19 : p. 48 : l. 26, 30, 32, 33, 35, 36, 39.

RAILROADS.

Reference to. § 18 : p. 48 : l. 4, 12, 15, 18.

RECOVER.

Railroad erecting automatic, etc., signals may recover in action at law from other company, etc. § 19 : p. 48 : l. 39.

REFUSES.

If one railroad, etc., refuses to join with other, the other may erect interlocking, etc., signals. § 19 : p. 48 : l. 33.

RIGHT OF WAY.

Company desiring to erect interlocking, etc., signals may enter upon right of way, etc., of other company. § 19 : p. 48 : l. 36.

ROAD.

Reference to. § 19 : p. 48 : l. 38.

ROADS.

References to. § 18 : p. 48 : l. 16. § 19 : p. 49 : l. 3.

S

SAFE.

Engines and tracks, etc., may cross common grade crossing without stopping when safe system of interlocking signals, etc., erected and maintained. § 18 : p. 48 : l. 7, 19.

SIGNALS.

References to automatic signals. § 18 : p. 48 : l. 6, 9, 19. § 19 : p. 48 : l. 27, 31. § 19 : p. 49 : l. 2.

STOPPING.

Engines and trains, etc., may pass over common grade crossing without stopping when safe system of interlocking, etc., signals erected and maintained. § 18 : p. 48 : l. 8, 13, 21.

SUFFICIENT.

Duty of Commission to grant permission to cross, etc., without stopping if system proposed of interlocking, etc., signals is sufficient and proper. § 18 : p. 48 : l. 24.

SYSTEM.

Proposed system of interlocking or automatic signals, etc. § 18 : p. 48 : l. 5, 18, 22. § 19 : p. 48 : l. 27.

[The references are to sections, pages, and lines]

T

THIRTY.

Company after thirty days' notice to other company may erect and maintain system, etc., of interlocking, etc., signals. § 19 : p. 48 : l. 30.

TOTAL.

Company erecting said signals may recover in action at law one-half of total cost, etc., from other company. § 19 : p. 49 : l. 1.

TRACKS.

Lawful for company to enter upon tracks, etc., of other company to erect and maintain interlocking, etc., signals, etc. § 19 : p. 48 : l. 36.

Reference to. § 18 : p. 48 : l. 7, 12, 20.

U

UNNECESSARILY.

Reference to word. § 19 : p. 48 : l. 37.

W

WAY.

Lawful for company desiring to erect interlocking, etc., signals to enter upon right of way, etc., of other company. § 19 : p. 48 : l. 36.

WORKS.

Works or fixtures rendering it safe for engines and trains to pass over common grade crossing without stopping. § 18 : p. 48 : l. 6, 9, 19, 22. § 19 : p. 48 : l. 34, 38. § 19 : p. 49 : l. 2.

WRITING.

Thirty days' notice in writing to be given to other railroad company of intention to erect interlocking, etc., signals for both of said roads. § 19 : p. 48 : l. 30.

INDEX-DIGEST

ACT OF MARCH 3, 1901, REQUIRING COMMON CARRIERS ENGAGED IN INTERSTATE
COMMERCE TO MAKE FULL REPORTS OF ALL ACCIDENTS TO INTERSTATE
COMMERCE COMMISSION.

FOR DIGESTS OF THE OTHER ACTS, SEE TABLE OF CONTENTS.

A

[The references are to sections, pages, and lines]

ACCIDENTALLY.

Monthly report, etc., where train or part of train accidentally leaves the track. § 1 : p. 49 : l. 13.

ACCIDENTS.

Monthly report to Commission of all accidents to passengers or employees while in service of such common carrier and actually on duty. § 1 : p. 49 : l. 13.

ACTION.

In action for damages growing out of any matter mentioned in report, neither the report nor any part thereof shall be admitted as evidence or used for any purpose against such railroad. § 3 : p. 49 : l. 29.

ACTUALLY.

Report to be made of accidents to employees in service of common carrier and actually on duty. § 1 : p. 49 : l. 15.

ADMITTED.

Neither said report nor any part thereof shall be admitted as evidence, etc., against such railroad. § 3 : p. 49 : l. 27.

AUTHORIZED.

Commission authorized to prescribe method and form for making said reports. § 4 : p. 49 : l. 32.

C

CAUSES.

Report shall state causes of accidents. § 1 : p. 49 : l. 16.

CIRCUMSTANCES.

Report shall state circumstances connected with accidents. § 1 : p. 49 : l. 17.

COLLISIONS.

Report shall be made of all collisions of trains, etc. § 1 : p. 49 : l. 12.

[The references are to sections, pages, and lines]

COMMERCE.

Every common carrier engaged in interstate commerce by railroad to make reports to Commission of accidents, etc. § 1 : p. 49 : l. 9.

COMMISSION, INTERSTATE COMMERCE.

References to. § 1 : p. 49 : l. 10. § 4 : p. 49 : l. 31.

COMMON CARRIER.

References to. § 1 : p. 49 : l. 8, 15. § 2 : p. 49 : l. 18. § 4 : p. 49 : l. 32.

COMPETENT.

Punishment for conviction of misdemeanor for failing to file report within thirty days, etc., when convicted by a court of competent jurisdiction. § 2 : p. 49 : l. 21.

CONNECTED.

Report shall show all circumstances connected with all accidents. § 1 : p. 49 : l. 17.

CONVICTION.

Penalty for conviction for failing to make report within thirty days, etc. § 2 : p. 49 : l. 20.

COURT.

Penalty for conviction by court of competent jurisdiction for failure to report within thirty days, etc. § 2 : p. 49 : l. 21.

D**DAMAGES.**

Report not to be evidence, etc., in action for damages. § 3 : p. 49 : l. 29.

DAY.

Failure to make report within thirty days, etc., punishable, fine not more than \$100 for each and every offense and for every day of failure, etc. § 2 : p. 49 : l. 23.

DAYS.

Failure to make report within thirty days after end of any month a misdemeanor. Penalty. § 2 : p. 49 : l. 19.

DISTRICT OF COLUMBIA.

Reference to. § 1 : p. 49 : l. 11.

DUTY.

Duty of general manager, superintendent, or proper officer of every common carrier engaged in interstate commerce by railroad to make report to Commission, etc. § 1 : p. 49 : l. 7.

Accidents to employees in service of carrier and actually on duty to be reported. § 1 : p. 49 : l. 15.

E

EMPLOYEES.

Accidents to employees in service of carrier and actually on duty to be reported. § 1 : p. 49 : l. 14.

(See Act to regulate commerce as amended by Act of June 29, 1906, requiring annual reports of accidents to passengers, employees, and other persons, and the causes thereof. § 20 : p. 26 : l. 22.)

END.

Penalty for failure to make report within thirty days after end of any month. § 2 : p. 49 : l. 19.

ENGAGED.

Common carrier engaged in interstate commerce by railroad, etc. § 1 : p. 49 : l. 9.

EVIDENCE.

Neither report nor any part thereof shall be admitted as evidence, etc., against such railroad. § 3 : p. 49 : l. 27.

F

FAIL.

Penalty : \$100 for every day during which carrier shall fail to make such report. § 2 : p. 49 : l. 24.

FAILING.

Penalty for failing to make report, etc. § 2 : p. 49 : l. 18.

FINE.

For failure to make report fine not more than \$100 for each and every offense and for every day of failure. § 2 : p. 49 : l. 22.

FORM.

Commission authorized to prescribe method and form for making the reports. § 4 : p. 49 : l. 33.

G

GENERAL MANAGER.

Duty of, to make reports to Commission under oath of all collisions, etc., and accidents to passengers or employees in service of carrier and actually on duty. § 1 : p. 49 : l. 7.

[The references are to sections, pages, and lines]

GROWING.

In action for damages growing out of any matter mentioned in the report neither said report nor any part thereof shall be admitted as evidence or used for any purpose against such railroad, etc. § 3 : p. 49 : l. 29.

GUILTY.

Carrier failing to make report within thirty days after end of month guilty of misdemeanor. Penalty. § 2 : p. 49 : l. 20.

I**INTERSTATE COMMERCE.**

See "Commission."

INTERSTATE COMMERCE COMMISSION.

Reference to. § 1 : p. 49 : l. 9.

J**JURISDICTION.**

On conviction by court of competent jurisdiction fine, etc., for failing to make report within thirty days, etc. § 2 : p. 49 : l. 21.

L**LEAVES.**

Report to be made where train or part of train accidentally leaves track. § 1 : p. 49 : l. 13.

M**MAKING.**

Neither report nor any part thereof shall be admitted as evidence, etc., against railroad making it. § 3 : p. 49 : l. 28.

Penalty for each day carrier shall fail to make report after time herein specified for making same. § 2 : p. 49 : l. 25.

Commission authorized to prescribe method and form for making the reports. § 4 : p. 49 : l. 33.

MANAGER, GENERAL.

Duty to file reports, etc. § 1 : p. 49 : l. 7.

MATTER.

In action for damages growing out of any matter mentioned in report, report not to be used as evidence, etc. § 3 : p. 49 : l. 29.

[The references are to sections, pages, and lines]

MENTIONED.

In action for damages growing out of any matter mentioned in report, report not to be used, etc., as evidence. § 3 : p. 49 : l. 23.

METHOD.

Commission authorized to prescribe method and form for making the reports. § 4 : p. 49 : l. 32.

MISDEMEANOR.

Failure to make report within thirty days after end of any month held to be a misdemeanor. Penalty. § 2 : p. 49 : l. 20.

MONTH.

Report to be filed within thirty days after end of any month, etc. § 2 : p. 49 : l. 19.

MONTHLY.

Duty of general manager, etc., etc., to file with Commission monthly report of collisions, etc., and of accidents, etc. § 1 : p. 49 : l. 11.

N

NATURE.

Report shall state nature and causes of all accidents, etc. § 1 : p. 49 : l. 16.

O

OATH.

The reports shall be under oath. § 1 : p. 49 : l. 12.

OCCUR.

Report to be made of all accidents which may occur, etc. § 1 : p. 49 : l. 14.

OFFENSE.

Failure to make report within thirty days, etc., an offense. Penalty. § 2 : p. 49 : l. 23.

OFFICE.

Reports to be made to Commission at its office in Washington. § 1 : p. 49 : l. 10.

OFFICER.

The duty of general manager, superintendent, or other proper officer, etc., to make monthly report of accidents, etc. § 1 : p. 49 : l. 8.

P

PART.

Neither said report nor any part thereof shall be admitted as evidence, etc., against railroad making it. § 3 : p. 49 : l. 26.

PASSENGERS.

Monthly report to be made of all accidents which may occur to its passengers, etc. § 1 : p. 49 : l. 14.

(See Act to regulate commerce as amended by Act of June 29, 1906, requiring annual report to show accidents to passengers, employees, and other persons and the causes thereof. § 20 : p. 26 : l. 22.)

PRESCRIBE.

Commission authorized to prescribe method and form for making the reports. § 4 : p. 49 : l. 32.

PROPER OFFICER.

Duty of general manager, superintendent, or other proper officer of every common carrier, etc., to report to Commission accidents, etc. § 1 : p. 49 : l. 8.

PUNISHED.

Common carrier failing to make report within thirty days after end of month, etc., shall be punished by fine not more than \$100, etc. § 2 : p. 49 : l. 21.

PURPOSE.

Neither report nor any part thereof shall be admitted as evidence nor used for any purpose against railroad making it. § 3 : p. 49 : l. 27.

R

RAILROAD.

References to. § 1 : p. 49 : l. 9. § 3 : p. 49 : l. 28.

REPORT.

Duty to make monthly report. § 1 : p. 49 : l. 11.

Report shall state nature and causes and circumstances connected with accidents, etc. § 1 : p. 49 : l. 16.

Report shall be made within thirty days after end of any month. § 2 : p. 49 : l. 19.

Fine not more than \$100 for each day of failure to make such report within time specified. § 2 : p. 49 : l. 24.

[The references are to sections, pages, and lines]

REPORT (Continued).

Report not to be admitted as evidence or used for any purpose against railroad making it in any suit or action for damages growing out of any matter mentioned in said report. § 3 : p. 49 : l. 26, 28, 30.

REPORTS.

Commission authorized to prescribe method and form for making the reports. § 4 : p. 49 : l. 33.

S**SERVICE.**

Report to be made of all accidents to employees while in service of carrier and actually on duty. § 1 : p. 49 : l. 15.

SPECIFIED.

Penalty for failing to make report within time specified. § 2 : p. 49 : l. 24.

STATE.

Report shall state nature, causes, and circumstances connected with all accidents, etc. § 1 : p. 49 : l. 16.

SUIT.

Neither report nor any part thereof shall be admitted as evidence or used for any purpose against railroad making it in any suit, etc., for damages growing out of any matter mentioned in said report. § 3 : p. 49 : l. 28.

SUPERINTENDENT.

Duty of general manager, superintendent, etc., to make report, etc. § 1 : p. 49 : l. 7.

T**THIRTY.**

Report to be made within thirty days after end of any month. § 2 : p. 49 : l. 19.

TIME.

Penalty for each day of failure to make report after the time specified for making the same. § 2 : p. 49 : l. 24.

TRACK.

Where train accidentally leaves track report to be made. § 1 : p. 49 : l. 13.

[The references are to sections, pages, and lines]

TRAIN.

Report to be made where any train or part of train accidentally leaves track. § 1 : p. 49 : l. 12, 13.

TRAINS.

All collisions of trains to be reported. § 1 : p. 49 : l. 12.

U**USED.**

Neither the report nor any part thereof shall be admitted as evidence or used for any purpose against railroad making it, etc. § 3 : p. 49 : l. 27.

W**WASHINGTON.**

Reference to. § 1 : p. 49 : l. 10.

INDEX-DIGEST

JOINT RESOLUTION OF MARCH 7, 1906, INSTRUCTING INTERSTATE COMMERCE
COMMISSION TO EXAMINE INTO SUBJECT OF RAILROAD DISCRIMINATIONS
AND MONOPOLIES IN COAL AND OIL AND REPORT ON SAME, ETC.

JOINT RESOLUTION OF MARCH 21, 1906, AMENDING ABOVE RESOLUTION.

FOR DIGESTS OF THE OTHER ACTS, SEE TABLE OF CONTENTS.

A

[The references are to sections, pages, and lines]

ACCOMPLISH.

Reference to. § 9 : p. 52 : l. 7.

ACT.

Common carriers by railroad subject to Interstate Commerce Act.

Reference to. § 1 : p. 50 : l. 8.

Reference to Act to Regulate Commerce and Acts amendatory thereof or supplementary thereto. § 9 : p. 52 : l. 13, 18, 21.

ADMINISTER.

Commission to administer oaths, etc. § 9 : p. 52 : l. 9.

AFORESAID.

References to. § 4 : p. 51 : l. 6, 9. § 5 : p. 51 : l. 17, 24.

AMENDATORY.

Reference to. § 9 : p. 52 : l. 15.

AMENDED.

Reference to. § 1 : p. 52 : l. 4.

AMENDMENTS.

Reference to. § 9 : p. 52 : l. 23.

AMONG THE SEVERAL STATES.

Contracts, etc., in restraint of trade or commerce. § 3 : p. 50 : l. 29.

APPLY.

All the requirement, obligations, liabilities, and immunities imposed or conferred by Act to regulate Commerce and Act in relation to testimony before the Commission approved Feb. 11, 1893, shall apply to all persons subpoenaed to testify as witnesses or to produce documentary evidence in pursuance of the authority herein conferred. § 9 : p. 52 : l. 17.

APPROVED.

Reference to. § 9 : p. 52 : l. 23.

ATTEMPTS.

Commission to inquire whether any such common carrier monopolizes or attempts to monopolize, etc. § 3 : p. 50 : l. 32.

[The references are to sections, pages, and lines]

ATTENDANCE.

Commission to have same power to compel attendance and testimony of witnesses, production of documentary evidence, and full information which it now has under Act of Feb. 4, 1887, and Acts amendatory thereof or supplementary thereto, or which it may have under any like statute taking effect hereafter. § 9 : p. 52 : l. 10.

AUTHORITY.

Reference to. § 9 : p. 52 : l. 9, 27.

AUTHORIZED.

Reference to. § 1 : p. 50 : l. 4.

C**CAR SUPPLY.**

Reference to. § 5 : p. 51 : l. 15.

CARRIED OUT.

Reference to. § 5 : p. 51 : l. 19.

CARRIER.

Reference to. § 3 : p. 50 : l. 33.

CARRIER COMPANIES.

Reference to. § 1 : p. 50 : l. 17.

CARRIERS.

References to. § 3 : p. 50 : l. 37. § 5 : p. 51 : l. 19.

CARRY.

To investigate whether common carriers, etc., own or have any interest in any of the coal or oil, etc., which they carry over their lines. § 1 : p. 50 : l. 14.

CARRYING.

Commission to inquire whether said carriers discriminate against shippers, etc., either in distribution of cars or in furnishing facilities or instrumentalities connected with carrying coal or oil, etc. § 5 : p. 51 : l. 24.

CARS.

References to. § 2 : p. 50 : l. 19. § 5 : p. 51 : l. 22.

CASES.

Reference to. § 9 : p. 52 : l. 20.

CHARGED.

Reference to. § 2 : p. 50 : l. 19.

[The references are to sections, pages, and lines]

COAL.

References to. § 1 : p. 50 : l. 11. § 3 : p. 50 : l. 30, 35. § 4 :
p. 51 : l. 5, 11, 13. § 5 : p. 51 : l. 17, 24.

COAL LANDS.

Reference to. § 1 : p. 50 : l. 16.

COAL MINES.

References to. § 2 : p. 50 : l. 23. § 3 : p. 50 : l. 39.

COAL PROPERTIES.

References to. § 2 : p. 50 : l. 23. § 4 : p. 51 : l. 5.

COAT TRAFFIC.

References to. § 2 : p. 50 : l. 24. § 4 : p. 51 : l. 5.

COMBINATION.

Commission to inquire, etc., whether there is any contract, combination in the form of trust, etc., in restraint of trade, etc.
§ 3 : p. 50 : l. 27.

COMBINATIONS.

Reference to. § 4 : p. 51 : l. 7.

COMBINE.

Reference to. § 4 : p. 51 : l. 9.

COMBINES.

Reference to. § 3 : p. 50 : l. 33.

COMMERCE.

Reference to. § 9 : p. 52 : l. 13, 19, 21.

To inquire, etc., whether there is any contract, etc., in restraint of trade or commerce among the several States. § 3 : p. 50 : l. 29.

To inquire whether any common carrier monopolizes or attempts, etc., to monopolize any part of the trade or commerce in coal or oil, etc. § 3 : p. 50 : l. 35.

COMMISSION, INTERSTATE COMMERCE.

References to.

§ 1 : p. 50 : l. 3.

§ 7 : p. 51 : l. 28.

§ 4 : p. 51 : l. 1.

§ 8 : p. 51 : l. 31.

§ 5 : p. 51 : l. 14.

§ 1 : p. 51 : l. 39.

§ 6 : p. 51 : l. 25.

§ 9 : p. 52 : l. 6, 8, 12, 20.

COMMON CARRIER.

Reference to. § 3 : p. 50 : l. 30, 32.

COMMON CARRIERS.

Reference to. § 1 : p. 50 : l. 14.

COMMON CARRIERS BY RAILROAD.

Reference to. § 1 : p. 50 : l. 8.

[The references are to sections, pages, and lines]

COMPANIES.

References to. § 1 : p. 50 : l. 13, 17. § 2 : p. 50 : l. 17, 22. § 3 : p. 50 : l. 34.

COMPANY.

Reference to. § 3 : p. 50 : l. 34.

COMPEL.

Commission to have power to subpoena and compel attendance and testimony of witnesses, etc. § 9 : p. 52 : l. 10.

CONCLUSIONS.

Commission to report any facts or conclusions pertinent to the general inquiry. § 7 : p. 51 : l. 29.

CONFERRED.

All requirements, etc., conferred by the Act to regulate Commerce and by Act of Feb. 11, 1893, as to testimony, etc., shall apply to all persons subpoenaed to testify, etc., in pursuance of authority herein conferred. § 9 : p. 52 : l. 18, 27.

CONGRESS.

Commission to investigate and report to Congress or to the President when Congress is not in session from time to time, etc. § 1 : p. 50 : l. 5, 6.

CONNECTED.

References to. § 2 : p. 50 : l. 25. § 9 : p. 52 : l. 21.

To inquire whether any discrimination against shippers, etc., in matter of car distribution or in furnishing facilities or instrumentalities connected with railroads, etc., or carrying coal and oil. § 5 : p. 51 : l. 23.

CONSISTENT.

Reference to. § 8 : p. 51 : l. 34.

CONSPIRACY.

Commission to inquire whether there is any conspiracy, etc., in restraint of trade, etc., in which any common carrier engaged in transportation of coal or oil is interested or to which it is a party. § 3 : p. 50 : l. 28.

Commission to report as to the effect of such contracts or conspiracy, etc., upon persons engaged independently in mining coal, etc., or upon the general public. § 4 : p. 51 : l. 8.

CONSPIRE.

Reference to. § 4 : p. 51 : l. 9.

CONSPIRES.

Commission to inquire whether any common carrier, etc., combines or conspires to monopolize any part of trade or commerce in coal or oil, etc. § 3 : p. 50 : l. 33.

[The references are to sections, pages, and lines]

CONSUMERS.

Commission to inquire as to the effect of such conspiracy, etc., upon the general public as consumers of coal or oil. § 4 : p. 51 : l. 13.

CONTRACT.

Commission to inquire whether there is any contract. etc., in restraint of trade in which any common carrier engaged in transportation of coal or oil is interested. § 3 : p. 50 : l. 27.

CONTRACTS.

Reference to. § 4 : p. 51 : l. 6.

CONTROL.

To report whether carriers, etc., limit or control the output of coal mines or price of coal and oil fields or price of oil. § 3 : p. 50 : l. 38.

Reference to. § 1 : p. 50 : l. 13, 15.

CONVENIENCE.

Reference to. § 8 : p. 51 : l. 32.

CORPORATIONS.

References to. § 1 : p. 50 : l. 11. § 2 : p. 50 : l. 22.

CURE.

Commission to report as to what remedy can cure the evils above set forth. § 6 : p. 51 : l. 26.

D**DECLARED.**

The purposes declared herein. § 9 : p. 52 : l. 7.

DESIRE.

Reference to. § 4 : p. 51 : l. 12.

DIRECTLY.

Reference to. § 1 : p. 50 : l. 12.

DIRECTLY OR INDIRECTLY.

Interested directly or indirectly in corporations, etc., owning, operating, etc., coal mines, etc., oil, etc. § 2 : p. 50 : l. 20.

To inquire whether carriers, etc., limit or control directly or indirectly the output of coal mines, the price of coal and oil fields or the price of oil. § 3 : p. 50 : l. 38.

DISCRIMINATE.

To inquire whether said carriers, etc., discriminate against shippers or parties wishing to become shippers, etc., in the distribution of cars or furnishing facilities or instrumentalities connected with receiving, forwarding, or carrying coal or oil, etc. § 5 : p. 51 : l. 20.

[The references are to sections, pages, and lines]

DISCRIMINATIONS.

Reference to. § 1 : p. 52 : l. 2.

DISTRIBUTING CARS.

Reference to. § 2 : p. 50 : l. 19.

DISTRIBUTION.

System of car supply and distribution. Reference to. § 5 : p. 51 : l. 15, 22.

DOCUMENTARY.

Commission may compel production of documentary evidence, etc. § 9 : p. 52 : l. 11.

All requirements, etc., of Act of Feb. 4, 1887, and amendments, and of Act of Feb. 11, 1893, shall apply to all persons who may be subpoenaed to testify as witnesses or to produce documentary evidence in pursuance of the authority herein conferred. § 9 : p. 52 : l. 26.

DONE.

Reference to. § 5 : p. 51 : l. 34.

DUTIES.

Reference to. § 9 : p. 52 : l. 6.

DUTY.

Commission to investigate whether officers of carriers, etc., or any persons charged with duty of distributing cars or furnishing facilities to shippers, etc., are interested directly or indirectly, etc., in corporations, etc., owning, operating, leasing, or otherwise interested in coal mines, etc., oil properties, etc. § 2 : p. 50 : l. 19.

Reference to. § 8 : p. 51 : l. 35.

E**EFFECT.**

Commission to inquire as to effect of such relationship, ownership, or interest in coal, etc., oil, etc., upon persons engaged independently in mining coal, etc., or upon the general public as consumers. § 4 : p. 51 : l. 4.

Commission to investigate and report system of car supply in effect upon the several transportation railway lines, etc. § 5 : p. 51 : l. 16.

Reference to. § 9 : p. 52 : l. 16.

EMPLOYED.

Reference to. § 2 : p. 50 : l. 26.

ENGAGE.

Effect of such relationship, ownership, etc., upon persons who may desire to engage in mining coal, etc. § 4 : p. 51 : l. 12.

[The references are to sections, pages, and lines]

ENGAGED.

Reference to. § 3 : p. 50 : l. 30.

Commission to report as to effect of such relationship, ownership, etc., in coal, oil, etc., upon persons engaged independently in mining coal or producing oil and shipping the same or other products, etc. § 4 : p. 51 : l. 10.

Reference to. § 5 : p. 51 : l. 16.

ENTITLED.

Reference to. § 9 : p. 52 : l. 21.

EQUITABLE.

Commission to report whether systems of car supply and distribution in effect are fair and equitable, etc. § 5 : p. 51 : l. 18.

EVIDENCE.

Commission to have same power as to attendance and testimony of witnesses and production of documentary evidence, etc., as under the Act of Feb. 4, 1887, and Acts amendatory thereof or supplementary thereto, or under any like statute taking effect hereafter. § 9 : p. 52 : l. 11.

All requirements, etc., of Commerce Act and amendments, and Act of Feb. 11, 1893, as to testimony shall apply to all persons subpoenaed to testify or to produce documentary evidence, etc. § 9 : p. 52 : l. 26.

EVILS.

Commission to report remedy to cure evils set forth. § 5 : p. 51 : l. 26.

EXAMINATIONS.

Reference to. § 1 : p. 52 : l. 1.

EXERCISE.

Reference to. § 9 : p. 52 : l. 8.

EXIST.

References to. § 4 : p. 51 : l. 3. § 5 : p. 51 : l. 27.

EXTENT.

Commission to find to what extent carriers limit or control output of coal mines or price of oil, etc., etc. § 3 : p. 50 : l. 37.

F**FACILITIES.**

Reference to. § 2 : p. 50 : l. 19.

Commission to find whether any carriers discriminate against shippers, etc., in furnishing facilities, etc., connected with receiving, forwarding, or carrying coal or oil. § 5 : p. 41 : l. 23.

[The references are to sections, pages, and lines]

FACTS.

Reference to. § 4 : p. 51 : l. 2.

Commission to report any facts or conclusions pertinent. § 5 : p. 51 : l. 29.

FAIR.

To report whether systems of car supply and distribution are fair and equitable. § 5 : p. 51 : l. 18.

To report whether systems as above are carried out fairly and properly. § 5 : p. 51 : l. 19.

FIELDS, OIL.

Reference to. § 3 : p. 50 : l. 40.

FIND.

Reference to. § 4 : p. 51 : l. 2.

FORCE.

Reference to. § 9 : p. 52 : l. 16.

FOREIGN NATIONS.

Reference to. § 3 : p. 50 : l. 36.

FORM.

Commission to ascertain whether there is any contract, etc., in form of trust, etc., in restraint of trade, etc. § 3 : p. 50 : l. 28.

FORTH, SET.

References to. § 4 : p. 51 : l. 2. § 5 : p. 51 : l. 27. § 7 : p. 51 : l. 30.

FORWARDING.

To inquire whether any carriers discriminate against shippers, etc., in furnishing facilities or instrumentalities connected with receiving, forwarding, etc., coal or oil. § 5 : p. 51 : l. 24.

FULL.

Reference to. § 9 : p. 52 : l. 12.

FURNISH.

Reference to. § 5 : p. 51 : l. 33.

FURNISHING.

Reference to. § 2 : p. 50 : l. 19.

Commission to report whether any carriers discriminate against shippers, etc., in matter of furnishing facilities or instrumentalities, etc., connected with receiving, etc., coal or oil. § 5 : p. 51 : l. 23.

G

GENERAL.

Reference to. § 7 : p. 51 : l. 30.

GENERAL PUBLIC.

Commission to inquire as to effect of contracts or combinations in form of trust, etc., or conspiracy to monopolize, etc., upon the general public as consumers of such coal or oil. § 4 : p. 51 : l. 13.

H

HEREAFTER.

Reference to. § 9 : p. 52 : l. 17.

I

IMMUNITIES.

All the immunities, etc., imposed or conferred by the Commerce Act and the Act of Feb. 11, 1893, as to testimony shall apply to persons subpoenaed to testify, etc., in pursuance of the authority herein conferred. § 9 : p. 52 : l. 18.

IMPOSED.

Reference to. § 9 : p. 52 : l. 18.

INDEPENDENTLY.

Effect of such combinations, etc., upon persons engaged independently in mining coal or producing oil, or in shipping the same or other products, etc. § 4 : p. 51 : l. 10.

INDIRECTLY, DIRECTLY OR.

References to. § 2 : p. 50 : l. 20. § 3 : p. 50 : l. 38.

INFORMATION.

References to. § 8, p. 51 : l. 33. § 9 : p. 52 : l. 12.

INQUIRE.

Reference to. § 1 : p. 50 : l. 4.

INQUIRY.

Reference to. § 7 : p. 51 : l. 30.

INSTRUCTED.

Reference to. § 1 : p. 50 : l. 4.

[The references are to sections, pages, and lines]

INSTRUMENTALITIES.

To inquire whether any discrimination in matter of furnishing instrumentalities connected with receiving, etc., coal or oil. § 5 : p. 51 : l. 23.

INTEREST.

References to. § 1 : p. 50 : l. 10, 14, 15. § 4 : p. 51 : l. 5.

INTERESTED.

References to. § 2 : p. 50 : l. 20, 23. § 3 : p. 50 : l. 31.

INTERSTATE COMMERCE ACT.

Common carriers by railroad subject to. Reference to. § 1 : p. 50 : l. 8.

INTERSTATE COMMERCE COMMISSION.

See "Commission."

INVESTIGATE.

References to. § 1 : p. 50 : l. 4. § 5 : p. 51 : l. 14.

INVESTIGATION.

References to. § 1 : p. 50 : l. 6. § 8 : p. 51 : l. 32.

J**JOINT RESOLUTION OF MARCH 7, 1906.**

Amended. § 1 : p. 51 : l. 39.

Reference to. § 9 : p. 52 : l. 8.

L**LANDS.**

To ascertain whether carriers, etc., have any interest in coal lands, oil lands, etc. § 1 : p. 50 : l. 16.

LEASING.

Reference to. § 2 : p. 50 : l. 22.

LIABILITIES.

All liabilities, etc., imposed by Commerce Act and Act of Feb. 11, 1893, as to testimony shall apply to all persons subpoenaed, etc. § 9 : p. 52 : l. 17.

LIKE.

Reference to. § 9 : p. 52 : l. 16.

[The references are to sections, pages, and lines]

LIMIT.

To ascertain whether carriers and to what extent limit or control directly or indirectly, etc., output of coal mines or price of coal and oil fields or price of oil. § 3 : p. 50 : l. 38.

LINES.

References to. § 1 : p. 50 : l. 14. § 5 : p. 51 : l. 16, 22.

M**MAKE.**

Reference to. § 8 : p. 51 : l. 31.

MANNER, IN ANY.

Reference to. § 1 : p. 50 : l. 15.

MEANS.

By means of. Reference to. § 1 : p. 50 : l. 10.

MINES.

Coal mines. § 2 : p. 50 : l. 23. § 3 : p. 50 : l. 39.

MINING.

Reference to. § 4 : p. 51 : l. 11.

MONOPOLIES.

Reference to. § 1 : p. 52 : l. 2.

MONOPOLIZE.

Reference to. § 3 : p. 50 : l. 32, 34.

MONOPOLIZES.

Reference to. § 3 : p. 50 : l. 32, 34.

N**NATIONS, FOREIGN.**

Reference to. § 3 : p. 50 : l. 36.

O**OATHS.**

Commission to have power to administer oaths, etc. § 9 : p. 52 : l. 9.

OBLIGATIONS.

Reference to. § 9 : p. 52 : l. 17.

[The references are to sections, pages, and lines]

OBTAIN.

Reference to. § 9 : p. 52 : l. 12.

OFFICERS.

Reference to. § 2 : p. 50 : l. 17.

OIL.References to. § 1 : p. 50 : l. 11, 16. § 2 : p. 50 : l. 24. § 3 :
p. 50 : l. 31, 35, 39, 40. § 4 : p. 51 : l. 6, 11, 13. § 5 : p. 51 :
l. 17, 24.**OIL PROPERTIES.**

Reference to. § 2 : p. 50 : l. 24.

OIL TRAFFIC.

Reference to. § 2 : p. 50 : l. 24.

OPERATING.

Reference to. § 2 : p. 50 : l. 22.

OTHERWISE.References to. § 1 : p. 50 : l. 11. § 3 : p. 50 : l. 28. § 4 : p. 51 :
l. 7.**OUT, CARRIED.**

Reference to. § 5 : p. 51 : l. 19.

OUTPUT.To ascertain whether carriers, etc., limit output of coal mines, etc.
§ 3 : p. 50 : l. 39.**OWN.**

Reference to. § 1 : p. 50 : l. 9, 15.

OWNERSHIP.References to. § 1 : p. 50 : l. 10. § 2 : p. 50 : l. 21. § 4 : p. 51 :
l. 4.**OWNING.**

Reference to. § 2 : p. 50 : l. 22.

P

PART.

Reference to. § 3 : p. 50 : l. 35.

PARTIES.

Reference to. § 5 : p. 51 : l. 21.

PARTY.

Reference to. § 3 : p. 50 : l. 31.

PERFORM.

Reference to. § 9 : p. 52 : l. 6.

[The references are to sections, pages, and lines]

PERFORMANCE.

Reference to. § 8 : p. 51 : l. 34.

PERSON.

References to. § 2 : p. 50 : l. 18. § 3 : 50 : l. 34. § 4 : p. 51 : l. 9.

PERSONS.

References to. § 2 : p. 50 : l. 18. § 3 : p. 50 : l. 34. § 4 : p. 51 : l. 10, 11. § 9 : p. 52 : l. 25.

PERTINENT.

Reference to. § 7 : p. 51 : l. 29.

POSSIBLE.

Reference to. § 8 : p. 51 : l. 32.

POWER.

Reference to. § 9 : p. 52 : l. 9.

PRESIDENT.

To report to Congress, or to the President when Congress is not in session, from time to time, etc., as investigation proceeds. § 1 : p. 50 : l. 5.

PRICE.

Whether any carrier, etc., limits price of coal and oil fields or price of oil. § 3 : p. 50 : l. 39, 40.

PROCEEDS.

Reference to. § 1 : p. 50 : l. 7.

PRODUCE.

Reference to. § 9 : p. 52 : l. 26.

PRODUCING.

Reference to. § 4 : p. 51 : l. 11.

PRODUCTION.

Reference to. § 9 : p. 52 : l. 11.

PRODUCTS.

Reference to. § 4 : p. 51 : l. 12.

PROPERLY.

To report whether systems of car supply and distribution are carried out fairly and properly. § 5 : p. 51 : l. 19.

PROPERTIES.

Coal properties. References to. § 1 : p. 50 : l. 16. § 2 : p. 50 : l. 23. § 4 : p. 51 : l. 5.

Oil properties. References to. § 1 : p. 50 : l. 16. § 2 : p. 50 : l. 24. § 4 : p. 51 : l. 6.

PUBLIC.

To report as to effect of monopoly, etc., upon the general public as consumers. § 4 : p. 51 : l. 13.

Reference to. § 8 : p. 51 : l. 35.

PURPOSES.

Reference to. § 9 : p. 52 : l. 7.

PURSUANCE.

Reference to. § 9 : p. 52 : l. 26.

R**RAILROAD.**

Reference to. § 1 : p. 52 : l. 1.

Common carriers by. Reference to. § 1 : p. 50 : l. 8.

RAILROADS.

Reference to. § 2 : p. 50 : l. 24.

RAILWAY.

Reference to. § 5 : p. 51 : l. 16.

RECEIVING.

Reference to. § 5 : p. 51 : l. 24.

REFERENCES TO OTHER ACTS AND SECTIONS.

To Act of March 7, 1906. § 1 : p. 52 : l. 3.

To Act of Feb. 4, 1887, and amendments and Acts supplementary thereto. § 9 : p. 52 : l. 13.

Act of Feb. 11, 1893, as to testimony. § 9 : p. 52 : l. 19.

REGULATE.

Reference to. § 9 : p. 52 : l. 13, 18, 21.

RELATION.

Reference to. § 9 : p. 52 : l. 20.

RELATIONSHIP.

Reference to. § 4 : p. 51 : l. 4.

REMEDY.

Commission to report a remedy to cure the evils, etc. § 5 : p. 51 : l. 26.

REPORT.

References to. § 1 : p. 50 : l. 5. § 4 : p. 51 : l. 4. § 5 : p. 51 : l. 15.
§ 6 : p. 51 : l. 25. § 7 : p. 51 : l. 28. § 1 : p. 52 : l. 2.

REQUIRED.

References to. § 4 : p. 51 : l. 3. § 5 : p. 51 : l. 14. § 6 : p. 51 : l. 25.
§ 7 : p. 51 : l. 28. § 8 : p. 51 : l. 31, 33. § 9 : p. 52 : l. 7.

[The references are to sections, pages, and lines]

REQUIREMENTS.

Reference to. § 9 : p. 52 : l. 17.

RESOLUTION, JOINT, OF MARCH 7, 1906.

Amended. § 1 : p. 51 : l. 39.

Reference to. § 9 : p. 52 : l. 8.

S**SESSION.**

To report to President when Congress not in session. § 1 : p. 50 : l. 6.

SET FORTH.

References to. § 4 : p. 51 : l. 2. § 5 : p. 51 : l. 27. § 7 : p. 51 : l. 30.

SEVERAL.

Reference to. § 5 : p. 51 : l. 16, 21.

SHIPPERS.

Reference to. § 2 : p. 50 : l. 20.

Whether any carriers, etc., discriminate against shippers or parties wishing to become shippers in matter of distribution of cars or furnishing facilities, etc., connected with coal or oil. § 5 : p. 51 : l. 20, 21.

SHIPPING.

Effect of conspiracy, etc., upon persons engaged independently, etc., in mining coal or producing oil and shipping the same, or other products, etc. § 4 : p. 51 : l. 11.

SOON.

Reference to. § 5 : p. 51 : l. 34.

STATES.

Reference to. § 3 : p. 50 : l. 29, 36.

STATUTE.

Reference to. § 9 : p. 52 : l. 16.

STOCK OWNERSHIP.

References to. § 1 : p. 50 : l. 10. § 2 : p. 50 : l. 21.

SUBJECT TO INTERSTATE COMMERCE ACT.

Common carriers by railroad, etc. Reference to. § 1 : p. 50 : l. 8.

SUBPCENA.

Commission to have power to subpcena, etc., witnesses. § 9 : p. 52 : l. 10.

[The references are to sections, pages, and lines]

SUBPENAED.

Interstate Commerce Act and amendments, etc., and Act of Feb. 11, 1893, as to testimony, to apply to all persons subpoenaed, etc. § 9 : p. 52 : l. 25.

SUGGEST.

Commission to report what remedy it can suggest to cure the evils, etc. § 5 : p. 51 : l. 26.

SUPPLEMENTARY.

Reference to. § 9 : p. 52 : l. 15.

SUPPLY.

Commission to investigate system of car supply, etc. § 5 : p. 51 : l. 15.

SYSTEM.

Commission to investigate system of car supply and distribution, etc. § 5 : p. 51 : l. 15.

SYSTEMS.

Commission to report whether the systems of car supply and distribution are fair and equitable, etc. § 5 : p. 51 : l. 18.

T

TESTIFY.

Reference to. § 9 : p. 52 : l. 25. See "Witnesses."

TESTIMONY.

Commission to have power to compel attendance and testimony of witnesses, etc. § 9 : p. 52 : l. 10, 19. See "Witnesses."

THINK.

Commission to report any facts or conclusions it may think pertinent. § 5 : p. 51 : l. 29.

TIME TO TIME, FROM.

Reference to. § 8 : p. 51 : l. 33.

TRADE.

To ascertain whether there is any contract, etc., in restraint of trade, etc. § 3 : p. 50 : l. 29.

To ascertain whether any carrier monopolizes, combines, or conspires, etc., to monopolize any part of the trade in coal or oil, etc. § 3 : p. 50 : l. 35.

TRAFFIC.

Coal. References to. § 2 : p. 50 : l. 24. § 3 : p. 50 : l. 35. § 4 : p. 51 : l. 5.

Oil. References to. § 2 : p. 50 : l. 24. § 3 : p. 50 : l. 35. § 4 : p. 51 : l. 6.

[The references are to sections, pages, and lines]

TRANSPORTATION.

References to. § 3 : p. 50 : l. 30. § 5 : p. 51 : l. 17.

TRUST.

Commission to ascertain whether there is any contract, combination in the form of trust or otherwise, etc., in which any common carrier engaged in transportation of coal or oil is interested or to which it is a party. § 3 : p. 50 : l. 28.

Reference to. § 4 : p. 51 : l. 7.

W

WISHING.

Commission to report whether carriers, etc., discriminate against shippers, or parties wishing to become shippers, etc. § 5 : p. 51 : l. 21.

WITNESSES.

Commission to have same power to administer oaths, to subpoena and compel attendance and testimony of witnesses and production of documentary evidence, and to obtain full information which Commission now has under Commerce Act and Acts amendatory or supplementary thereto, or which it may have under any like statute taking effect hereafter. § 9 : p. 52 : l. 11.

All requirements, etc., imposed by Act to regulate Commerce and Act of Feb. 11, 1893, as to testimony, etc., shall also apply to all persons subpoenaed to testify as witnesses, etc. § 9 : p. 52 : l. 26.

INDEX-DIGEST

THE ACT OF JUNE 1, 1898. CONCERNING CARRIERS ENGAGED IN INTERSTATE
COMMERCE, AND THEIR EMPLOYEES.

FOR DIGESTS OF THE OTHER ACTS, SEE TABLE OF CONTENTS.

A

[The references are to sections, pages, and lines]

ABET.

Unlawful for employees to unite in, aid, or abet strikes against employers pending arbitration proceedings. § 7 : p. 57 : l. 18.

ABOUT.

Reference to. § 2 : p. 53 : l. 37.

ACCORDANCE.

Reference to. § 2 : p. 53 : l. 38. § 4 : p. 56 : l. 1.

ACCORDINGLY.

Reference to. § 4 : p. 55 : l. 36, 41.

ACCOUNT.

Reference to. § 3 : p. 55 : l. 17.

ACCOUNTING.

Accounts to be audited by proper accounting officers of the Treasury.
§ 11 : p. 59 : l. 11.

ACKNOWLEDGED.

Every agreement of arbitration to be acknowledged by the parties before notary public, etc. § 6 : p. 56 : l. 33.

When so acknowledged, copy to be transmitted to chairman of Interstate Commerce Commission. § 6 : p. 56 : l. 35.

ACT.

Provisions of this Act to apply to any common carrier or carriers and their officers, agents, and employees, except masters of vessels and seamen, as defined in Revised Statutes, Section 4612, engaged in transportation of passengers or property wholly by railroad, or partly by railroad and partly by water, for a continuous carriage or shipment from one State or Territory, or District of Columbia, to any other State or Territory, or District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States. § 1 : p. 52 : l. 31.

Definition of "railroad" as used in this Act. § 1 : p. 53 : l. 3.

Definition of term "employees" as used in Act. § 1 : p. 53 : l. 10.

[The references are to sections, pages, and lines]

ACT (Continued).

This Act shall not apply to employees of street railroads. § 1 : p. 53 : l. 15.

This Act shall apply only to employees engaged in railroad train service. § 1 : p. 53 : l. 15.

References to. § 2 : p. 53 : l. 28, 39. § 6 : p. 56 : l. 33, 40. § 7 : p. 57 : l. 13. § 8 : p. 58 : l. 4. § 10 : p. 58 : l. 21.

The Act to create Boards of Arbitration or Commission, etc., approved Oct. 1, 1888, repealed. § 12 : p. 59 : l. 17.

ACTION.

Arbitrator shall be agreed upon and designated by concurrent action of all such labor organizations when controversy involves, etc., interest of classes, etc., belonging to different labor organizations. § 3 : p. 54 : l. 12.

ACTS.

The carrier operating railroad shall be responsible for the acts and defaults of employees in same manner, etc., as if cars were owned by it and employees directly employed by it, etc. § 1 : p. 53 : l. 19.

Members of national trades union incorporations shall not be personally liable for acts, debts, or obligations of the corporation. § 8 : p. 57 : l. 44.

Such corporations shall not be liable for acts of members or others in violation of law. § 8 : p. 58 : l. 1.

ACTUALLY.

The term "employee" shall include all persons actually engaged in any capacity in train operation or train service, etc. § 1 : p. 53 : l. 11.

Each member of Arbitration Board shall receive \$10 per day for time actually employed. § 11 : p. 59 : l. 5.

ADJACENT.

Act applies to transportation from place in United States to adjacent foreign country. § 1 : p. 52 : l. 41.

ADMINISTER.

The arbitrators shall have power to administer oaths, etc. § 5 : p. 56 : l. 20.

ADVISE.

Unlawful for three months after an award, for organization representing employees to order, counsel, or advise quitting service of employer without just cause without giving thirty days' notice, etc. § 7 : p. 57 : l. 27.

AFFECT.

An agreement exempting operating carrier from responsibility for acts, etc., of employees, binding only between the parties and shall not affect obligations of carrier to the public or to the private parties concerned. § 1 : p. 53 : l. 24.

[The references are to sections, pages, and lines]

AFFECTING.

Employees to have right to be heard before receivers upon all questions affecting terms and conditions of their employment, etc. § 9 : p. 58 : l. 10.

AFFECTS.

Provision for arbitration when controversy involves and affects interests of two or more classes, etc., belonging to different labor organizations. § 3 : p. 54 : l. 8.

AFFIRMATIONS.

Arbitrators may administer oaths and affirmations. § 5 : p. 56 : l. 20.

AFORESAID.

Reference to. § 7 : p. 57 : l. 21.

AFTER.

Reference to. § 3 : p. 55 : l. 14.

Employer not to discharge before three months from and after award without giving thirty days' notice. § 3 : p. 55 : l. 19.

Unlawful for three months after an award under arbitration for employer to discharge except for inefficiency, etc., without giving thirty days' written notice. § 7 : p. 57 : l. 19.

Penalty for employer attempting or conspiring to prevent discharged employee from obtaining employment after employee has quit employer's work. § 10 : p. 58 : l. 40.

AGAINST.

No injunction shall compel performance of contract for personal labor or service by any laborer against his will. § 3 : p. 55 : l. 9.

Pending arbitration, unlawful for employees to unite in, aid, or abet strikes against employer. § 7 : p. 57 : l. 18.

By-laws in articles of incorporation must provide that member shall cease to be such by participating in, etc., force or violence against persons or property during strikes, etc. § 8 : p. 57 : l. 40.

Trade unions, etc., may appear before Arbitration Board by designated representatives, or in any suits, etc., against such corporations or their members in any of Federal courts. § 8 : p. 58 : l. 4.

No officer, agent, receiver, etc., shall unjustly discriminate against any employee because of membership in labor corporation, association, etc. § 10 : p. 58 : l. 28.

AGENT.

Reference to. § 10 : p. 58 : l. 21.

AGENTS.

Reference to. § 1 : p. 52 : l. 32.

[The references are to sections, pages, and lines]

AGREE.

Parties may agree upon a judgment to be entered on exceptions to an award. § 4 : p. 56 : l. 14.

Unlawful for employer, etc., to stipulate, as condition of employment, entering into contract whereby employee shall agree to contribute to any charitable, etc., fund. § 10 : p. 58 : l. 33.

AGREED.

In controversies affecting different labor organizations, arbitrator shall be agreed upon, etc., by concurrent action. § 3 : p. 54 : l. 11.

AGREEMENT.

References to. § 1 : p. 53 : l. 7. § 6 : p. 56 : l. 32, 39. § 6 : p. 57 : l. 3, 6.

Unlawful for employer to require employee as condition of employment to enter into agreement not to become or remain a member of any labor organization, etc. § 10 : p. 58 : l. 24.

AGREEMENTS.

Arbitrators may call for production of all agreements, etc. § 5 : p. 56 : l. 22.

Arbitrators may invoke aid of United States Courts to compel witnesses to produce agreements, etc. § 5 : p. 56 : l. 27.

AID.

Arbitrators may invoke aid of United States Courts to compel witnesses to testify, etc. § 5 : p. 56 : l. 25.

Pending arbitration, unlawful for employees to aid, abet, etc., strikes. § 7 : p. 57 : l. 17.

ALL.

Employees to have right to be heard in court, whenever receivers in possession, upon all questions affecting terms and conditions of employment. § 9 : p. 58 : l. 10.

AMENDMENTS.

Reference to. § 5 : p. 56 : l. 31.

AMICABLY.

Chairman of Commission or Commissioner of Labor shall use best efforts to amicably settle differences. § 2 : p. 53 : l. 36.

ANY.

References to. § 7 : p. 57 : l. 20, 23, 28, 30. § 8 : p. 58 : l. 5. § 10 : p. 58 : l. 20, 21, 22, 25, 26, 28, 30, 33, 35, 44.

APPARENT.

Award final and conclusive unless set aside for error of law apparent on record. § 3 : p. 55 : l. 2.

Judgment shall be entered upon award unless within ten days either party file exceptions for matter of law apparent upon record. § 4 : p. 55 : l. 39.

[The references are to sections, pages, and lines]

APPEAL.

Reference to appeal from Circuit Court on award. § 3 : p. 55 : l. 42.

Reference to appeal from decision of Circuit Court within ten days to Circuit Court of Appeals. § 4 : p. 56 : l. 3.

APPEALS.

To Circuit Court of Appeals. § 4 : p. 56 : l. 3.

Determination of Circuit Court of Appeals final, etc. § 4 : p. 56 : l. 8.

APPEAR.

Labor corporations may appear by designated representatives before Arbitration Board or in any suits, etc., in Federal Courts. § 8 : p. 58 : l. 2.

APPELLATE.

Only such portion of record to be transmitted to Appellate Court as necessary to proper understanding, etc., of questions of law presented. § 4 : p. 56 : l. 5.

APPLICANT.

Reference to. § 10 : p. 58 : l. 32.

APPLICATION.

No reduction of wages by receiver without authority of Court and notice to employees not less than twenty days before hearing upon receiver's application, etc. § 9 : p. 58 : l. 17.

APPLY.

Statement as to whom this Act shall apply. § 1 : p. 52 : l. 31. See "Act."

Act shall not apply to employees of street railways. § 1 : p. 53 : l. 16.

Act shall apply only to employees engaged in railroad train service. § 1 : p. 53 : l. 17.

APPOINTED.

Reference to. § 9 : p. 58 : l. 7.

APPOINTMENT.

Board of Arbitration shall commence hearings within ten days from date of appointment of third arbitrator. § 3 : p. 54 : l. 32.

Board shall file award within thirty days from appointment of third arbitrator. § 3 : p. 54 : l. 35.

APPROPRIATE.

The submission to arbitration shall contain appropriate provisions by which parties shall stipulate as to,
time of hearings. § 3 : p. 54 : l. 28-31.
status of controversy pending arbitration. § 3 : p. 54 : l. 36.
against involuntary personal service. § 3 : p. 54 : l. 38. § 3 : p. 55 : l. 7.

[The references are to sections, pages, and lines]

APPROPRIATE (Continued).

as to filing of award in court. § 3 : p. 54 : l. 40.

as to enforcing award. § 3 : p. 55 : l. 4.

as to notice of termination of service. § 3 : p. 55 : l. 11.

as to continuance of award. § 3 : p. 55 : l. 21.

as to exemption of individual employees not parties, unless they give assent in writing to become parties. § 3 : p. 55 : l. 27.

APPROPRIATED.

Not to exceed \$10,000 in any one year appropriated, etc. § 11 : p. 59 : l. 12, 16.

ARBITRATION.

Chairman of Commission and Commissioner of Labor to endeavor to bring about arbitration. § 2 : p. 53 : l. 38.

Whenever controversy arises, etc., may be submitted to arbitration of board of three persons. § 3 : p. 53 : l. 44.

The third Commissioner to be chosen by the other two. § 3 : p. 54 : l. 18.

The submission shall specify time and place of meeting of Board of Arbitration. § 3 : p. 54 : l. 27.

Board of Arbitration shall commence hearings within ten days, etc. § 3 : p. 54 : l. 31.

Pending arbitration, the status existing immediately prior to the dispute shall not be changed. § 3 : p. 54 : l. 36.

Award shall be filed in Circuit Court for the district where controversy arises or the arbitration is entered into. § 3 : p. 54 : l. 45.

No new arbitration upon same subject shall be had until expiration of one year. § 3 : p. 55 : l. 23.

Individual employees not belonging to labor organizations, etc., which shall enter into arbitration, etc., not bound by award unless they give assent in writing to become parties. § 3 : p. 55 : l. 29, 30, 32.

Every agreement of arbitration shall be acknowledged by the parties before notary public, etc. § 6 : p. 56 : l. 32.

Agreements of, entered into under this Act, but made by individual employees instead of by organization, shall be transmitted to chairman of Interstate Commerce Commission, etc. § 6 : p. 56 : l. 39.

Chairman of Commission shall notify arbitrators of above, fixing time and place for meeting within fifteen days from execution of said agreement of arbitration, providing it be shown that a majority of all employees of same grade and class, etc., have signed the submission, etc. § 6 : p. 57 : l. 3.

During pendency of arbitration, unlawful for employer to discharge employees except for inefficiency, violation of law, or neglect of duty. § 7 : p. 57 : l. 12.

ARBITRATION (Continued).

- During pendency of arbitration, unlawful for organization representing employees to order strike. § 7 : p. 57 : l. 17.
- During pendency of, unlawful for employees to unite in, aid, or abet strikes against said employer. § 7 : p. 57 : l. 18.
- Unlawful for period of three months after award for employer to discharge any employees, except for causes aforesaid, without thirty days' written notice. § 7 : p. 57 : l. 22.
- Unlawful for any employees during like period to quit service of employer without just cause, without giving thirty days' written notice. § 7 : p. 57 : l. 26.
- Unlawful for labor organization during said period to order counsel or advise otherwise. § 7 : p. 57 : l. 26.
- Reduction of force by employer, party to arbitration, for business necessities permitted by Act. § 7 : p. 57 : l. 29.
- Each member of Board of Arbitration to receive \$10 per day, etc. § 11 : p. 59 : l. 3.
- Also proper expenses of any conciliation or arbitration had hereunder not to exceed \$10,000 in any one year. § 11 : p. 59 : l. 8.
- Act of Oct. 1, 1888, to create Boards of Arbitration repealed. § 12 : p. 59 : l. 17.

ARBITRATOR.

- When controversy involves two or more classes belonging to different labor organizations, such arbitrator shall be agreed upon and designated by concurrent action, etc. § 3 : p. 54 : l. 11.
- Employees not members of labor organizations may select committee to select arbitrator on behalf of said employees. § 3 : p. 54 : l. 16.
- If the two appointed fail to choose third arbitrator within five days, etc., the Commissioners may appoint third arbitrator. § 3 : p. 54 : l. 19, 20.
- Board shall commence hearings within ten days from appointment of third arbitrator. § 3 : p. 54 : l. 33.
- Board shall find and file award within thirty days from appointment of third arbitrator. § 3 : p. 54 : l. 35.

ARBITRATORS.

- A majority of said arbitrators competent to make valid and binding award. § 3 : p. 54 : l. 22.
- Award of, etc., certified shall have force of bill of exceptions. § 3 : p. 54 : l. 42.
- Shall have power to administer oaths, sign subpoenas, require attendance, testimony, etc. § 5 : p. 56 : l. 18.
- Notice to be served by chairman of Commission upon arbitrators fixing time and place for meeting, etc. § 6 : p. 56 : l. 45.
- Condition of calling meeting of arbitrators to be that majority of all employees of same grade, etc., have signed submission, etc. § 6 : p. 57 : l. 5.

[The references are to sections, pages, and lines]

ARISE.

Whenever controversy shall arise, etc., may be submitted to arbitration, etc. § 3 : p. 53 : l. 40.

ARISES.

Award shall be filed in Circuit Court for district wherein controversy arises, etc. § 3 : p. 54 : l. 45.

ARISING.

Unlawful for employer to require proposed employee to release employer from liability for injury by reason of benefit received from any charitable, social, or beneficial fund beyond proportion of benefit arising from employer's contribution to said fund. § 10 : p. 58 : l. 37.

ARTICLES.

Reference to articles of incorporation of trade unions, etc. § 8 : p. 57 : l. 38.

ASIDE.

Award of arbitrators final, etc., unless set aside for error of law apparent on record. § 3 : p. 55 : l. 2.

No new arbitration until after one year after award shall go into operation if award is not set aside, etc. § 3 : p. 55 : l. 26.

ASSENT.

Individual employees not belonging to labor organization, etc., not bound by award unless they shall give assent in writing to become parties. § 3 : p. 55 : l. 31.

ASSOCIATION.

A misdemeanor for employer to require employee to agree, etc., not to become or remain member of any labor association, etc. § 10 : p. 58 : l. 25.

Misdemeanor to unjustly discriminate against employee because of membership in labor association, etc. § 10 : p. 58 : l. 29.

ASSOCIATIONS.

Employees of railroads in hands of Federal receiver shall have right to be heard in courts upon all questions affecting terms and conditions of employment through the officers, etc., of their associations. § 9 : p. 58 : l. 11.

ATTEMPT.

A misdemeanor for employer to attempt, etc., to prevent discharged employee from obtaining employment. Penalty. § 10 : p. 56 : l. 39. See "Penalties."

Misdemeanor as above to attempt, etc., to prevent employee after his quitting service from obtaining employment. Penalty. § 10 : p. 39 : l. 41. See "Penalties."

[The references are to sections, pages, and lines]

ATTEND.

Arbitrators may invoke aid of United States Courts to compel witnesses to attend, etc. § 5 : p. 56 : l. 26.

ATTENDANCE.

Arbitrators may require attendance and testimony of witnesses, etc. § 5 : p. 56 : l. 21.

AUDITED.

Expenses of arbitration to be audited by proper accounting officers of treasury. § 11 : p. 59 : l. 11.

AUTHORITY.

No reduction of wages shall be made by receivers, etc., without authority of Court upon twenty days' notice to such employees, etc. § 9 : p. 58 : l. 14.

AWARD.

A majority of arbitrators competent to make valid and binding award. § 3 : p. 54 : l. 23.

The submission shall specify that the award shall be found and filed within thirty days after appointment of third arbitrator. § 3 : p. 54 : l. 33.

Submission shall specify that the award shall be certified and filed in clerk's office of the Circuit Court for district in which controversy arises or in which arbitration is entered into. § 3 : p. 54 : l. 40.

Submission shall specify that respective parties to award will each faithfully execute same, etc. § 3 : p. 55 : l. 4.

Submission shall specify that employees dissatisfied with award shall not by reason of such dissatisfaction quit service before three months after making of award without giving thirty days' notice, etc. § 3 : p. 55 : l. 11, 14.

That employer dissatisfied with award shall not dismiss employees on account of such dissatisfaction before expiration of three months after making of award without giving thirty days' notice in writing, etc. § 3 : p. 55 : l. 16, 19.

That award shall continue in force as between parties thereto for one year, etc. § 3 : p. 55 : l. 21.

If award not set aside no new arbitration upon same subject between same employer and employees to be had until after one year. § 3 : p. 55 : l. 26.

Award not binding on individual employees not parties unless they give assent in writing to become parties. § 3 : p. 55 : l. 30.

That award when filed in court shall go into practical operation and judgment entered thereon ten days after filing unless either party shall file exceptions within such ten days for matter of law, etc. § 4 : p. 55 : l. 33.

[The references are to sections, pages, and lines]

AWARD (Continued).

If exceptions as above taken, award shall go into practical operation and judgment enter accordingly when exceptions finally disposed of by Circuit Court or on appeal therefrom. § 4 : p. 55 : l. 39.

Judgment shall be entered at expiration of ten days from decision of Circuit Court upon exceptions taken to said award, unless during said ten days either party shall appeal therefrom to Circuit Court of Appeals, etc. § 4 : p. 55 : l. 45.

If exceptions to award are finally sustained, judgment shall be entered setting aside the award. § 4 : p. 56 : l. 12, 13.

If set aside as above, parties may agree upon judgment to be entered disposing of subject matter of controversy, which judgment when entered to have same force, etc., as judgment entered upon an award. § 4 : p. 56 : l. 17.

Chairman of Commission shall decline to call meeting of arbitrators under agreement unless satisfied that employees signing submission represent, etc., majority of employees of same employer and of same grade, etc., and that an award pursuant to said submission can justly be regarded as binding upon such employees, etc. § 6 : p. 57 : l. 10.

Unlawful for three months after award for employer to discharge employees except for inefficiency, violation of law, or neglect of duty, without giving thirty days' written notice, etc. § 7 : p. 57 : l. 19.

Unlawful for any employees during like period to quit service, etc., without just cause, without giving to employer thirty days' written notice, etc. § 7 : p. 57 : l. 23.

Unlawful for like period for organization representing employees to order, counsel, or advise otherwise. § 7 : p. 57 : l. 26.

Unlawful during pendency of award proceedings for employer, etc., to discharge employees parties thereto, except for inefficiency, violation of law, or neglect of duty. § 7 : p. 57 : l. 12.

Unlawful for organization representing such employees pending award proceedings to order, and for employees to unite in, aid, or abet, strikes against said employer. § 7 : p. 57 : l. 16.

B

BECAUSE.

A misdemeanor for employer to unjustly discriminate against employee because of membership in labor association, etc. § 10 : p. 58 : l. 28.

BECOME.

References to. § 3 : p. 55 : l. 32. § 10 : p. 58 : l. 25.

[The references are to sections, pages, and lines]

BEFORE.

References to. § 3 : p. 55 : l. 13, 18. § 6 : p. 56 : l. 33. § 8 :
p. 58 : l. 3. § 9 : p. 58 : l. 16.

BEHALF.

Reference to. § 3 : p. 54 : l. 17.

BELONG.

Reference to. § 3 : p. 54 : l. 4.

BELONGING.

References to. § 3 : p. 54 : l. 10. § 3 : p. 55 : l. 28.

BENEFICIAL.

Misdemeanor to require employee to agree to contribute to any fund
for beneficial purposes, etc. § 10 : p. 58 : l. 34.

Misdemeanor to require employee to release employer from liability
for injuries by reason of benefit received from fund, etc., beyond
the proportion arising from employer's contribution, etc. § 10 :
p. 58 : l. 36, 37.

BEST.

Commissioner shall use best efforts to amicably settle controversy.
§ 2 : p. 53 : l. 35.

BETWEEN.

References to. § 1 : p. 53 : l. 23. § 2 : p. 53 : l. 28. § 3 : p. 53 :
l. 40. § 3 : p. 55 : l. 21. § 12 : p. 59 : l. 19.

BEYOND.

Reference to. § 10 : p. 58 : l. 36.

BILL.

Bill of exceptions. Reference to. § 3 : p. 54 : l. 44.

BINDING.

Majority of arbitrators competent to make valid and binding award.
§ 3 : p. 54 : l. 23.

References to. § 3 : p. 55 : l. 31. § 6 : p. 57 : l. 11.

Any provision exempting carrier for responsibility for acts and de-
faults of employees binding only as between parties and shall not
affect obligations of carrier to public or to the private parties
concerned. § 1 : p. 53 : l. 23.

BOARD.

Board created by this Act. References to. § 8 : p. 58 : l. 3. § 3 :
p. 54 : l. 31.

Arbitration Board of three persons provided for. § 3 : p. 53 : l. 44.

Submission shall specify time and place of meeting of said Board,
etc. § 3 : p. 54 : l. 27.

Each member to receive compensation of \$10 per day while actually
employed and travelling and other necessary expenses. § 11 :
p. 59 : l. 3.

[The references are to sections, pages, and lines]

BOARDS.

Notice to employees by Federal receivers of wage reductions to be posted upon all customary bulletin boards along or upon railway, etc. § 9 : p. 58 : l. 18.

Act of Oct. 1, 1888, creating Boards of Arbitration or Commission, etc. § 12 : p. 59 : l. 17.

BOOKS, PAPERS, ETC.

Arbitrators may require production of, etc. § 5 : p. 56 : l. 22.

Arbitrators may invoke aid of United States Courts to compel witnesses to produce books, papers, etc. § 5 : p. 56 : l. 27.

BOTH.

Award, etc., final and conclusive upon both parties. § 3 : p. 55 : l. 1.

BOYCOTTS.

Articles of incorporation of national trade unions, etc., must stipulate in constitution, etc., that member shall cease to be such by participating in, etc., force or violence, etc., during boycotts, etc. § 8 : p. 57 : l. 41.

BRIDGES.

Term "railroad" as used in Act shall include all bridges, etc., used or operated, etc. § 1 : p. 53 : l. 4.

BRING ABOUT.

Reference to. § 2 : p. 53 : l. 37.

BULLETIN.

Notice of receivers as to wage reductions to be posted on customary bulletin boards, etc. § 9 : p. 58 : l. 18.

BUSINESS.

Reference to. § 2 : p. 53 : l. 30.

Employer may reduce number of employees whenever business necessities in his judgment, etc., require. § 7 : p. 57 : l. 33.

BY-LAWS.

By-laws of trade unions, etc., must stipulate for forfeiture of membership for violence, etc. § 8 : p. 58 : l. 39.

C**CAPACITY.**

Term "employees" as used in Act to include all persons actually engaged in any capacity in train operation or train service, etc. § 1 : p. 53 : l. 11.

[The references are to sections, pages, and lines]

CARRIAGE.

Act applies to common carriers, etc., for continuous carriage or shipment in interstate, etc., commerce. § 1 : p. 52 : l. 37.

Term "transportation" shall include all instrumentalities of shipment or carriage. § 1 : p. 53 : l. 9.

CARRIER.

References to. § 1 : p. 53 : l. 14, 18, 24. § 2 : p. 53 : l. 28, 29, 30.
§ 3 : p. 54 : l. 1.

Common.

Reference to. § 1 : p. 52 : l. 31.

Subject to Act.

Reference to. § 3 : p. 53 : l. 41.

CARRIERS.

References to. § 1 : p. 52 : l. 32. § 12 : p. 59 : l. 19.

CARS.

All persons actually engaged, etc., notwithstanding that cars upon which employed may be held and operated by carrier under lease or other contract. § 1 : p. 53 : l. 13.

Operating carrier responsible for acts and defaults of employees, etc., as if cars owned by it, etc. § 1 : p. 53 : l. 20.

CASE.

Reference to. § 6 : p. 56 : l. 4.

CASES.

Reference to. § 3 : p. 54 : l. 12.

CAUSE.

Reference to. § 6 : p. 56 : l. 45.

Unlawful for employees to quit service, etc., without just cause for three months after award. § 7 : p. 57 : l. 24.

CAUSES.

Reference to. § 7 : p. 57 : l. 21.

CEASE.

Reference to. § 8 : p. 57 : l. 39.

CERTIFIED.

Award to be certified under hands of arbitrators, etc. § 3 : p. 54 : l. 41.

Judgment to be entered by Circuit Court on determination of Circuit Court of Appeals certified to said Circuit Court, etc. § 4 : p. 56 : l. 9.

CHAIRMAN.

Chairman of Interstate Commerce Commission and Commissioner of Labor to mediate differences. § 2 : p. 53 : l. 30.

[The references are to sections, pages, and lines]

CHAIRMAN (Continued).

Agreement of Arbitration Act to be transmitted to chairman of Commission. § 6 : p. 56 : l. 44.

Chairman of Commission shall not call meeting of arbitrators except on conditions stated. § 6 : p. 57 : l. 4.

Copy of agreement of arbitration to be sent to chairman of Commission. § 6 : p. 56 : l. 36.

Expenses of arbitration to be approved by chairman of Commission § 11 : p. 59 : l. 10.

CHANGED.

The status existing immediately prior to dispute shall not be changed pending the arbitration. § 3 : p. 54 : l. 37.

CHAPTER.

Reference to chapter 567 of United States Statutes of 1885 and 1886. § 8 : p. 57 : l. 35.

CHARITABLE.

Unlawful to require employee to agree to contribute to any fund for charitable, etc. purposes as a condition of employment. § 10 : p. 58 : l. 33.

CHOSEN.

Arbitrators to be chosen, one by carrier or employer directly interested, one by labor organization to which employees directly interested belong, etc., the third to be selected by the two thus chosen. § 3 : p. 53 : l. 45. § 3 : p. 54 : l. 17.

CIRCUIT COURT OF APPEALS.

Appeal from decision of Circuit Court on award to Circuit Court of Appeals. § 4 : p. 56 : l. 3.

Determination of, shall be final. § 4 : p. 56 : l. 8.

CIRCUIT COURT OF UNITED STATES.

Award to be filed in clerk's office of. § 3 : p. 54 : l. 44. § 4 : p. 55 : l. 34.

Judgment to be entered in accordance with determination of Circuit Court of Appeals. § 4 : p. 56 : l. 10.

Judgment to be entered when exceptions finally disposed of by said Court. § 4 : p. 55 : l. 42.

Appeal to Circuit Court of Appeals from decision of Circuit Court. § 4 : p. 55 : l. 45.

CLASS.

If employees belong to more than one class, the second arbitrator shall be chosen by that organization which specially represents employees of same class, etc. § 3 : p. 54 : l. 6.

No new arbitration for one year between same employer and same class of employees, etc. § 3 : p. 55 : l. 25.

[The references are to sections, pages, and lines]

CLASS (Continued).

Chairman of Commission before calling meeting of arbitrators must be satisfied that employees signing submission represent, etc., majority of all employees in service of same employer and of same grade and class, etc. § 6 : p. 56 : l. 9.

CLASSES.

When controversy involves, etc., interests of two or more classes or employees belonging to different organizations, two arbitrators to be agreed upon, etc., by concurrent action of all such organizations. § 3 : p. 54 : l. 9.

CLERK.

Award to be filed in clerk's office of Circuit Court, etc. § 3 : p. 54 : l. 43.

Shall go into practical operation upon being so filed, etc., unless exceptions taken. § 4 : p. 55 : l. 33.

Determination of Circuit Court of Appeals certified by clerk thereof to Circuit Court. § 4 : p. 56 : l. 10.

Agreement of arbitration to be acknowledged by parties before notary public or clerk of district of Circuit Court of United States. § 6 : p. 56 : l. 34.

COLUMBIA, DISTRICT OF.

Reference to. § 1 : p. 52 : l. 39, 40.

COMMENCE.

Board of Arbitration shall commence hearings within ten days from appointment of third arbitrator. § 3 : p. 54 : l. 31.

COMMERCE.

Act to regulate. Reference to. § 5 : p. 56 : l. 29.

COMMISSION.

Chairman of, and Commissioner of Labor to mediate differences. § 2 : p. 53 : l. 31.

Copy of agreement of arbitration to be transmitted to chairman of. § 6 : p. 56 : l. 36.

Copy of agreement of arbitration executed by employees individually instead of by labor organization, etc., to be transmitted to chairman, etc. § 6 : p. 56 : l. 44.

Chairman of, shall decline to call meeting of arbitrators except satisfied of certain conditions stated. § 6 : p. 57 : l. 4.

Expenses of arbitration to be approved by chairman of corporation. § 11 : p. 59 : l. 11.

COMMISSIONER.

Reference to. § 3 : p. 54 : l. 18, 21.

COMMISSIONER OF LABOR.

Together with chairman of Interstate Commerce Commission shall mediate differences. § 2 : p. 53 : l. 31.

[The references are to sections, pages, and lines]

COMMON CARRIER.

See "Carrier."

COMMON CARRIERS.

References to. § 12 : p. 59 : l. 19. § 1 : p. 52 : l. 32.

COMMITTED.

Jurisdiction of misdemeanor as defined in Act given to any Court of United States of competent jurisdiction in district in which offense committed. § 10 : p. 58 : l. 45.

COMMITTEE.

Where majority of employees, etc., are not members of labor organization, they may by a majority vote select a committee of their own number which shall have right to select arbitrator on behalf of said employees. § 3 : p. 54 : l. 15.

COMMUNICATION.

Reference to. § 2 : p. 53 : l. 34.

COMPEL.

Arbitrators may invoke aid of United States Courts to compel witnesses to attend, testify, etc. § 5 : p. 56 : l. 26.

COMPELLED.

No employee shall be compelled to render personal service without his consent. § 3 : p. 54 : l. 38.

COMPENSATION.

Each member of Board of Arbitration shall receive compensation of \$10 per day for time actually employed, and travelling and other necessary expenses. § 11 : p. 59 : l. 4.

COMPETENT.

A majority of arbitrators competent to make valid and binding award, etc. § 3 : p. 54 : l. 22.

Reference to. § 10 : p. 58 : l. 44.

CONCERNED.

Reference to. § 1 : p. 53 : l. 25.

CONCERNING.

Reference to. § 2 : p. 53 : l. 26.

CONCILIATION.

References to. § 2 : p. 53 : l. 36. § 3 : p. 53 : l. 42. § 11 : p. 59 : l. 8.

CONCLUSIVE.

Award final and conclusive unless set aside for error of law apparent on the record. § 3 : p. 55 : l. 1.

CONCURRENT.

Concurrent action of all labor organizations upon appointment of arbitrator where controversy involves interests of classes belonging to different labor organizations, etc. § 3 : p. 54 : l. 11.

[The references are to sections, pages, and lines]

CONDITION.

Prohibition of unjust requirements, as stated, as condition of employment. § 10 : p. 58 : l. 23, 31.

CONDITIONS.

Controversy concerning conditions of employment, etc., to be settled upon request of either party, etc., by chairman of Commission and by Commissioner of Labor. § 2 : p. 53 : l. 27.

Reference to. § 5 : p. 56 : l. 28.

Employees of railroads in hands of receiver, etc., to be heard in court upon all questions affecting terms and conditions of employment, etc. § 9 : p. 58 : l. 11.

CONFORMING.

Reference to. § 6 : p. 56 : l. 40.

CONNECTION.

Reference to. § 1 : p. 53 : l. 4.

CONSENT.

No employee compelled to render personal service without his consent. § 3 : p. 54 : l. 39.

CONSIDERATION.

Only such portion of record to be transmitted to Appellate Court as necessary to understanding and consideration of questions of law presented by exceptions, etc. § 4 : p. 56 : l. 6.

CONSPIRE.

Misdemeanor for employer to conspire to prevent employee who has been discharged or who has quit his service from obtaining employment. § 10 : p. 58 : l. 34, 41.

CONSTITUTION.

Of national trade unions. To provide for forfeiture of membership for violence, etc. § 8 : p. 57 : l. 38.

CONSTRUED.

Nothing in Act to be construed to prevent reduction of force for business reasons. § 7 : p. 57 : l. 30.

CONTAIN.

The submission to award shall contain appropriate provisions, etc., stated. § 3 : p. 54 : l. 28. See "Award."

CONTAINED.

Reference to. § 7 : p. 57 : l. 30.

CONTINUE.

Award shall continue in force as between the parties for one year, etc. § 3 : p. 55 : l. 21.

[The references are to sections, pages, and lines]

CONTINUOUS.

Act to apply to continuous carriage or shipment, etc. § 1 : p. 52 : l. 37.

CONTRACT.

Term "railroad" to apply to all the road in use, etc., whether owned or operated under a contract, agreement, or lease. § 1 : p. 53 : l. 7.

Term "employees" to include all persons actually engaged, etc., notwithstanding that cars upon which employed may be held and operated by carrier under lease or other contract. § 1 : p. 53 : l. 15.

Provisions in any lease or contract exempting employer from liability for acts and defaults of employees binding only between the parties, and shall not affect obligations of carrier either to the public or to the private party concerned. - § 1 : p. 53 : l. 22.

No injunction which shall compel performance by any laborer against his will of a contract for any personal labor or service. § 3 : p. 55 : l. 9.

Unlawful to require employee as condition of employment to enter into contract, etc., to contribute to any fund for charitable, social, or beneficial purposes. § 10 : p. 58 : l. 32.

CONTRACTS.

Arbitrators may require production of contracts, etc. § 5 : p. 56 : l. 22.

Arbitrators may invoke aid of United States Courts to compel witnesses to produce contracts, etc. § 5 : p. 56 : l. 27.

CONTRARY.

Reference to. § 1 : p. 53 : l. 22.

CONTRIBUTE.

Unlawful to require employee to agree to contribute to any charitable fund, etc. § 10 : p. 58 : l. 33.

CONTRIBUTION.

Unlawful to require employee as condition of employment to release employer from liability for personal injury by reason of any benefit received from charitable fund, etc., beyond the proportion of the benefit arising from employer's contribution to such fund. § 10 : p. 58 : l. 37.

CONTROL.

Reference to. § 9 : p. 58 : l. 8.

CONTROVERSIES.

Reference to. § 12 : p. 59 : l. 18.

[The references are to sections, pages, and lines]

CONTROVERSY.

References to. § 2 : p. 53 : l. 26, 33, 34, 38. § 3 : p. 53 : l. 40, 43.
§ 3 : p. 54 : l. 8, 45.

Where exceptions to award are sustained, parties may agree upon a judgment to be entered disposing of subject matter of the controversy. § 4 : p. 56 : l. 15.

CONVICTION.

Punishment for conviction for misdemeanor. § 10 : p. 58 : l. 43.
See "Penalties."

COPY.

Copy of agreement of arbitration to be transmitted to chairman of Commission. § 6 : p. 56 : l. 35.

CORPORATION.

Reference to. § 1 : p. 53 : l. 5.

CORPORATION. LABOR.

Reference to. § 10 : p. 58 : l. 25, 29.

CORPORATIONS.

Members of national trade unions, etc., not personally liable for acts, debts, or obligations of the corporations, etc. § 8 : p. 57 : l. 45.

National trade union corporations not liable for acts of members or others in violence of law. § 8 : p. 58 : l. 1.

May appear by designated representatives before Arbitration Board or in any suits or proceedings for or against such corporations or their members in any of the Federal Courts. § 8 : p. 58 : l. 2, 5.

Railroad.

Reference to. § 12 : p. 59 : l. 19.

CUSTOMARY.

Notice by receivers of wage reductions of employees to be posted upon all customary bulletin boards, etc. § 9 : p. 58 : l. 18.

D**DAMAGES.**

Any violation of Section 7 as to restrictions on parties during pendency of arbitration shall subject the offending party to liability for damages. § 7 : p. 57 : l. 29.

DATE.

Board to commence hearings within ten days from date of appointment of third arbitrator. § 3 : p. 54 : l. 32.

Board shall find and file award within thirty days from date of appointment of third arbitrator. § 3 : p. 54 : l. 35.

[The references are to sections, pages, and lines]

DAY.

Each member of Board to receive compensation of \$10 per day, etc. § 11 : p. 59 : l. 4.

DAYS.

If the two arbitrators chosen fail to name the third within five days after first meeting, the third shall be named by the Commissioners named in Section 2. § 3 : p. 54 : l. 20.

Hearings to be commenced within ten days from appointment of third arbitrator. § 3 : p. 54 : l. 32.

Award to be found and filed within thirty days from appointment of third arbitrator. § 3 : p. 54 : l. 35.

Thirty days' notice in writing of intention to quit. § 3 : p. 55 : l. 15, 19. § 7 : p. 57 : l. 21, 25.

Exceptions to award to be filed within ten days from filing of award. § 4 : p. 55 : l. 37.

Judgment to be entered at expiration of ten days upon exceptions to award, unless during said ten days either party shall appeal to Circuit Court of Appeals. § 4 : p. 55 : l. 44. § 4 : p. 56 : l. 2.

Chairman of Commission shall fix time and place for meeting of Board, which shall be within fifteen days from execution of agreement of arbitration, etc. § 6 : p. 57 : l. 2.

Not less than twenty days' notice to be given to employees by receiver of application to Court to reduce wages, etc. § 9 : p. 58 : l. 16.

DEBTS.

Members of national labor corporations shall not be personally liable for debts, etc., of the corporations. § 8 : p. 57 : l. 45.

DECIDED.

The submission of arbitration shall state the questions to be decided. § 3 : p. 54 : l. 28.

DECISION.

Judgment to be entered at expiration of ten days from decision of Circuit Court upon exceptions, unless either party appeal to Circuit Court of Appeals. § 4 : p. 55 : l. 44.

DECLARED.

Reference to. § 10 : p. 58 : l. 42.

DECLINE.

Chairman of Commission shall decline to call meeting of arbitrators, except on condition stated. § 6 : p. 57 : l. 5.

DEFAULTS.

Operating carrier responsible for acts and defaults of employees in same manner, etc., as if said cars were owned by it and said employees directly employed by it, etc. § 1 : p. 53 : l. 19.

[The references are to sections, pages, and lines]

DEFINED.

Masters of vessels and seamen as defined in Section 4612 Revised Statutes, excepted from Act. § 1 : p. 52 : l. 33.

DESCRIPTION.

Term "employees" to include all persons actually engaged in any capacity in train operation or train service of any description, etc. § 1 : p. 53 : l. 12.

DESIGNATED.

Where controversy involves two or more classes, etc., belonging to different labor organizations, arbitrator to be designated concurrently by all such organizations. § 3 : p. 54 : l. 11.

National trade unions, etc., may appear by designated representatives before Arbitration Board or Courts, etc. § 8 : p. 58 : l. 3.

DETERMINATION.

Determination of Circuit Court of Appeals final. § 4 : p. 56 : l. 8.

Arbitrators shall have power to require production of such books, papers, etc., material to a just determination of the matters under investigation. § 5 : p. 56 : l. 23.

DIFFERENCES.

Reference to. § 12 : p. 59 : l. 18.

DIRECTLY.

References to. § 1 : p. 53 : l. 21. § 3 : p. 54 : l. 2, 7.

DISCHARGE.

Thirty days' notice in writing required by employer of intention to discharge, etc. § 3 : p. 55 : l. 20.

Pending arbitration, unlawful to discharge employees except for inefficiency, violation of law, or neglect of duty. § 7 : p. 57 : l. 14.

For three months after award, unlawful to discharge employee except for above causes without thirty days' written notice. § 7 : p. 57 : l. 20, 22.

DISCHARGED.

Reference to. § 10 : p. 58 : l. 38.

DISCRIMINATE.

Misdemeanor for employer to discriminate unjustly against employee because of membership in labor corporation, etc. § 10 : p. 58 : l. 27.

DISMISS.

Employer dissatisfied with award shall not dismiss employee, etc., because of such dissatisfaction before expiration of three months without giving thirty days' notice in writing. § 3 : p. 55 : l. 16.

DISPOSED.

Reference to. § 4 : p. 55 : l. 42.

[The references are to sections, pages, and lines]

DISPOSING.

Reference to. § 4 : p. 56 : l. 15.

DISPUTE.

Pending arbitration, the status existing immediately prior to the dispute shall not be changed. § 3 : p. 54 : l. 37.

DISSATISFACTION.

Employees dissatisfied with award shall not by reason of such dissatisfaction quit service before three months, except on thirty days' notice in writing. § 3 : p. 55 : l. 12.

Employer dissatisfied with award shall not dismiss employee on account of such dissatisfaction before three months, without giving thirty days' notice. § 3 : p. 55 : l. 17.

DISSATISFIED.

Reference to. § 3 : p. 55 : l. 11, 16. See "Dissatisfaction."

DISTRICT.

Reference to. § 3 : p. 54 : l. 44.

Venue of prosecution for misdemeanor in United States Court in district in which offense was committed. § 10 : p. 58 : l. 45.

DISTRICT COURT.

Reference to. § 6 : p. 56 : l. 34.

DOCUMENTS.

Arbitrators shall have power to require production of documents, etc., material to just determination of matters under investigation. § 6 : p. 56 : l. 23.

Arbitrators may ask aid of United States Courts to compel witnesses to produce documents, etc., as is provided in Act of Feb. 4, 1887, and amendments thereto. § 5 : p. 56 : l. 27.

DOLLARS.

References to. § 10 : p. 59 : l. 2. § 11 : p. 59 : l. 4, 9.

DULY.

Reference to. § 6 : p. 56 : l. 42.

DURING.

Reference to. § 4 : p. 56 : l. 2. § 7 : p. 57 : l. 12, 18, 23.

DUTY.

Unlawful during pendency of arbitration to discharge employees except for inefficiency, violation of law, or neglect of duty. § 7 : p. 57 : l. 16.

E

EFFECT.

Award and the papers, proceedings, testimony, etc., certified shall have effect of a bill of exceptions. § 3 : p. 54 : l. 43.

EFFORTS.

Reference to. § 2 : p. 53 : l. 35, 36.

EITHER.

Reference to. § 2 : p. 53 : l. 32.

EITHER PARTY.

References to. § 4 : p. 55 : l. 38. § 4 : p. 56 : l. 2.

EMPLOYED.

References to. § 1 : p. 53 : l. 13, 21. § 11 : p. 59 : l. 5.

EMPLOYEE.

No employee compelled to render personal service without his consent. § 3 : p. 54 : l. 38.

Prohibition of unjust requirements as condition of employment of any employee, etc. § 5 : p. 58 : l. 22.

Unlawful to threaten employee with loss of employment because of membership in labor association, etc. § 10 : p. 58 : l. 26.

Unlawful to discriminate unjustly against employee because of membership in labor organization, etc. § 10 : p. 58 : l. 28.

Prohibition of other unjust requirements as condition of employment of employee, etc. § 10 : p. 58 : l. 30, 32, 38.

EMPLOYEES.

References to.

§ 1 : p. 52 : l. 32.

§ 6 : p. 57 : l. 7, 8, 11.

§ 2 : p. 53 : l. 28.

§ 7 : p. 57 : l. 14, 16, 20, 23,

§ 3 : p. 53 : l. 41.

27, 32.

§ 3 : p. 54 : l. 3, 5, 7, 9, 13,

§ 9 : p. 58 : l. 9, 15.

14, 17, 26.

§ 12 : p. 59 : l. 21.

§ 3 : p. 55 : l. 11, 17, 25, 28, 31.

Definition of term shall include all persons actually engaged in any capacity in train operation or train service of any description, and notwithstanding that the cars upon or in which they are employed may be held and operated by carrier under lease or other contract. § 1 : p. 53 : l. 10.

Act shall not be held to apply to employees of street railroads. § 1 : p. 53 : l. 16.

Act shall apply only to employees engaged in railroad train service. § 1 : p. 53 : l. 17.

[The references are to sections, pages, and lines]

EMPLOYEES (Continued).

- Operating carrier responsible for acts and defaults of such employees, etc., as if directly employed by it, etc. § 1 : p. 53 : l. 19, 21.
- Entitled to thirty days' notice of termination of service, etc. § 3 : p. 55 : l. 19.
- Must give thirty days' notice during period of three months after the award before leaving, etc. § 3 : p. 55 : l. 13.
- Individual employees not parties not bound by an award unless they give assent in writing to become parties. § 3 : p. 55 : l. 28.
- During pendency of arbitration unlawful to discharge employees, etc., except for inefficiency, violation of law, or neglect of duty, § 7 : p. 57 : l. 14.
- Nor for organization representing such employees to order strike, etc., nor for employees to unite in, aid, or abet strikes, etc. § 7 : p. 57 : l. 16, 17.
- For three months after an award unlawful to discharge employees except for above causes without thirty days' notice. § 7 : p. 57 : l. 20.
- During like period unlawful for employees to quit service without just cause without giving thirty days' written notice, etc. § 7 : p. 57 : l. 23.
- During like period unlawful for organization representing such employees to order, counsel, or advise otherwise. § 7 : p. 57 : l. 27.
- Reduction of employees allowed for business reasons. § 7 : p. 57 : l. 32.
- Agreement to arbitrate of individual employees instead of by labor organization as their representative shall be transmitted to chairman, etc. § 6 : p. 56 : l. 41.
- Employees of railroads in hands of Federal receiver to have right to be heard in courts upon all questions affecting terms and conditions of employment, etc. § 9 : p. 58 : l. 9.
- Above employees not to have wages reduced by receivers without authority of Court upon twenty days' notice to such employees. § 9 : p. 58 : l. 15.

EMPLOYER.

- One arbitrator to be named by the carrier or employer directly interested. § 3 : p. 54 : l. 1.
- The submission to be in writing, signed by employer, etc. § 3 : p. 54 : l. 25.
- Employees dissatisfied with award not to quit service of employer because of such dissatisfaction before expiration of three months without giving thirty days' notice, etc. § 3 : p. 55 : l. 13.
- Employer dissatisfied with award shall not dismiss employee on account of such dissatisfaction until three months after award without giving thirty days' notice in writing. § 3 : p. 55 : l. 16.

[The references are to sections, pages, and lines]

EMPLOYER (Continued).

No new arbitration upon same subject between same employer and same class of employees until expiration of one year after award, etc. § 3 : p. 55 : l. 24.

Reference to. § 6 : p. 57 : l. 9.

During pendency of arbitration, unlawful for employer to discharge employees except for inefficiency, violation of law, or neglect of duty. § 7 : p. 57 : l. 13.

Nor for employees to unite in strikes, etc., against employer. § 7 : p. 57 : l. 18.

Nor for three months after award for employer to discharge employees except for cause aforesaid without thirty days' notice. § 7 : p. 57 : l. 20.

Nor for employees during like period to quit service of employer without just cause without giving thirty days' written notice. § 7 : p. 57 : l. 24, 25.

Employer may reduce force for business reasons. § 7 : p. 57 : l. 30.

Prohibition of unjust requirements as conditions of employment. § 10 : p. 58 : l. 20, 21, 34, 37.

EMPLOYMENT.

Controversies concerning conditions of employment, etc., to be mediated. § 2 : p. 53 : l. 27.

Employees of railroads in hands of Federal receiver to be heard in courts upon all questions affecting terms and conditions of their employment. § 9 : p. 58 : l. 11.

Prohibition of unjust requirements as condition of employment. § 10 : p. 58 : l. 23.

Unlawful to threaten any employee with loss of employment because of membership in labor corporation, etc. § 10 : p. 58 : l. 27.

Other unlawful conditions of employment. § 10 : p. 58 : l. 30, 31.

Unlawful to prevent employee discharged or quitting service from obtaining employment. § 10 : p. 58 : l. 40, 42.

ENDEAVOR.

Reference to. § 2 : p. 53 : l. 37.

ENDING.

Reference to. § 11 : p. 59 : l. 13.

ENFORCED.

The submission shall stipulate that the award may be specifically enforced in equity so far as powers of a Court of Equity permit. § 3 : p. 55 : l. 6.

ENGAGED.

References to. § 1 : p. 52 : l. 35. § 3 : p. 54 : l. 6. § 12 : p. 59 : l. 20.

Term "employees" as used in Act shall include all persons actually engaged in any capacity in train operation or train service, etc.,

[The references are to sections, pages, and lines]

ENGAGED (Continued).

notwithstanding that the cars may be held, etc., by a carrier under lease or other contract. § 1 : p. 53 : l. 11.

Act shall apply only to employees engaged in railroad train service. § 1 : p. 53 : l. 17.

ENTER.

Reference to. § 3 : p. 55 : l. 29.

Unlawful to require employees to enter, as a condition of employment, into certain agreements specified. § 10 : p. 58 : l. 24.

Unlawful to require employee, as condition of employment, to enter into contract to contribute to any fund for charitable, etc., purposes. § 10 : p. 58 : l. 31.

ENTERED.

References to. § 3 : p. 55 : l. 1. § 6 : p. 56 : l. 39.

Judgment shall be entered on award, etc. § 4 : p. 55 : l. 36.

Judgment shall be entered on award, after exceptions finally disposed of, etc. § 4 : p. 55 : l. 40.

Judgment shall be entered in accordance with decision of Circuit Court upon the exceptions to the award, unless within ten days appeal taken to Circuit Court of Appeals. § 4 : p. 56 : l. 1.

Judgment shall be entered by Circuit Court pursuant to determination of Circuit Court of Appeals. § 4 : p. 56 : l. 11.

Parties may agree upon a judgment where exceptions to award are sustained, which judgment when entered shall have same force, etc., as judgment entered upon an award. § 4 : p. 56 : l. 16, 17.

EQUITY.

Parties shall agree that award may be specifically enforced in equity so far as powers of a Court of Equity permit. § 3 : p. 55 : l. 6, 7.

ERROR.

Award conclusive unless set aside for error of law apparent on record. § 3 : p. 55 : l. 2.

EVENT.

In the event of failure of the two arbitrators to name the third, the Commissioners shall name him. § 3 : p. 54 : l. 19.

EVERY.

Reference to. § 8 : p. 57 : l. 34.

EXCEED.

Expenses, etc., not to exceed \$10,000 in any one year. § 11 : p. 59 : l. 9.

EXCEPT FOR.

Employees not to be discharged during pendency of arbitration except for inefficiency, violation of law, or neglect of duty. § 7 : p. 57 : l. 15.

[The references are to sections, pages, and lines]

EXCEPT THAT.

Reference to. § 6 : p. 56 : l. 40.

EXCEPTED.

Masters of vessels and seamen, etc., excepted from Act. § 1 : p. 52 : l. 33.

Reference to. § 7 : p. 57 : l. 21.

EXCEPTIONS.

The award, papers and proceedings, and testimony, certified by arbitrators shall have force and effect of a bill of exceptions. § 3 : p. 54 : l. 43.

Exceptions to award to be filed within ten days, etc. § 4 : p. 55 : l. 38.

Judgment to be entered when exceptions finally disposed of. § 4 : p. 55 : l. 41.

Appeal to Circuit Court of Appeals from decision of Circuit Court upon exceptions to award. § 4 : p. 55 : l. 45.

If exceptions to award are finally sustained, judgment shall be entered setting aside award. § 4 : p. 56 : l. 12.

EXECUTE.

The submission to stipulate that parties to award will each faithfully execute same. § 3 : p. 55 : l. 5.

EXECUTED.

Agreement of arbitration of individual employees shall be executed by employees individually, etc. § 6 : p. 56 : l. 40.

EXECUTION.

Chairman of Commission shall fix time and place for meeting of Board within fifteen days from execution of agreement and arbitration. § 6 : p. 57 : l. 2.

EXISTING.

Pending arbitration, the status existing immediately prior to dispute shall not be changed. § 3 : p. 54 : l. 36.

EXPEDITION.

Chairman of Commission and Commissioner of Labor, upon request, etc., to mediate with all practicable expedition. § 2 : p. 53 : l. 33.

EXPENSES.

Each member to be paid travelling and other necessary expenses. § 11 : p. 59 : l. 6.

Also proper expenses of conciliation or arbitration hereunder, not to exceed \$10,000 in any one year. § 11 : p. 59 : l. 6.

EXPIRATION.

References to. § 3 : p. 55 : l. 13, 18, 26. § 4 : p. 55 : l. 36, 44.

EXTEND.

References to. § 1 : p. 53 : l. 23. § 5 : p. 56 : l. 28.

F

FAILURE.

Reference to. § 3 : p. 54 : l. 19.

FAITHFULLY.

Parties to award to agree faithfully to execute same. § 3 : p. 55 : l. 5.

FAR.

Reference to. § 3 : p. 55 : l. 6.

FEDERAL COURTS.

References to. § 8 : p. 58 : l. 5. § 9 : p. 58 : l. 7.

FERRIES.

The term "railroad" as used in Act to include all bridges and ferries used or operated, etc. § 1 : p. 53 : l. 4.

FIFTEEN.

Commission to fix time and place for meeting of Board within fifteen days of execution of agreement. § 6 : p. 57 : l. 2.

FIFTH.

Reference to fifth stipulation of submission. § 3 : p. 55 : l. 21.

FILE.

Either party shall file exceptions within ten days, etc. § 4 : p. 55 : l. 38.

Board shall file award within thirty days, etc. § 3 : p. 54 : l. 33.

Chairman of Commission shall file agreement of arbitration in office of Commission. § 6 : p. 56 : l. 37.

FILED.

Award shall be filed in clerk's office of Circuit Court, etc. § 3 : p. 54 : l. 43. § 4 : p. 55 : l. 33.

FILING.

Judgment entered on award ten days from such filing, unless exceptions taken. § 4 : p. 55 : l. 37.

FINAL.

Determination of Circuit Court of Appeals final. § 4 : p. 56 : l. 9.

Award final and conclusive, unless set aside, etc. § 3 : p. 55 : l. 1.

FINALLY.

References to. § 3 : p. 55 : l. 41. § 4 : p. 56 : l. 12.

FIND.

Board shall find and file award within thirty days, etc. § 3 : p. 54 : l. 33.

[The references are to sections, pages, and lines]

FIRST.

Reference to. § 3 : p. 54 : l. 20, 31.

FISCAL YEAR.

Reference to. § 11 : p. 59 : l. 13.

FIVE.

Reference to. § 3 : p. 54 : l. 19.

FIXING.

Chairman of Commission shall notify arbitrators fixing time and place for meeting. § 6 : p. 57 : l. 1.

FOLLOWING.

Reference to. § 3 : p. 53 : l. 45.

FOLLOWS.

Reference to. § 3 : p. 54 : l. 30.

FORCE.

Award, papers, etc., shall have force, etc., of bill of exceptions. § 3 : p. 54 : l. 42.

Award shall continue in force one year, etc. § 3 : p. 55 : l. 21.

Reference to. § 4 : p. 56 : l. 16.

By-laws of national trade unions, etc., shall provide for forfeiture of membership for force, etc. § 8 : p. 57 : l. 40.

FOREIGN COUNTRY.

References to. § 1 : p. 52 : l. 41. § 1 : p. 53 : l. 2.

FOUR.

Reference to Section 4. § 3 : p. 55 : l. 27.

FOURTH.

Reference to fourth stipulation in submission. § 3 : p. 55 : l. 11.

FROM AND AFTER.

Reference to. § 3 : p. 55 : l. 14, 19.

FUND.

Shall not force employee as condition of employment to agree to contribute to any fund for charitable, etc., purposes. § 10 : p. 56 : l. 33, 36, 38.

G

GIVE.

Reference to. § 3 : p. 55 : l. 31.

GIVING.

References to. § 3 : p. 55 : l. 14, 19. § 7 : p. 57 : l. 21, 24.

[The references are to sections, pages, and lines]

GRADE.

Selection of arbitrator where employees, of same grade, belong to more than one labor organization. § 3 : p. 54 : l. 6.

Meeting of arbitrators not to be called by chairman of Commission unless employees signing submission represent or include majority in service of same employer and of same grade, etc. § 6 : p. 57 : l. 9.

GRADES.

Arbitrator to be agreed upon, etc., by concurrent action when controversy affects interest of two or more classes and grades of employees belonging to different labor organizations. § 3 : p. 54 : l. 9.

GUILTY.

Reference to. § 10 : p. 58 : l. 42. See "Misdemeanor."

H

HANDS.

Award, etc., certified under the hands of the arbitrators. § 3 : p. 54 : l. 42.

HEARD.

Employees of Federal receivers to be heard in courts upon all questions affecting terms and conditions of their employment, etc. § 9 : p. 58 : l. 10.

HEARING.

Employees entitled to not less than twenty days' notice before hearing on receiver's petition, etc., for reduction of wages. § 9 : p. 58 : l. 16.

HEARINGS.

Board of Arbitration shall commence hearings within ten days from date of appointment of third arbitrator. § 3 : p. 54 : l. 32.

HELD.

Reference to. § 1 : p. 53 : l. 14.

This Act shall not be held to apply to employees of street railroads. § 1 : p. 53 : l. 16.

HEREIN.

Reference to. § 7 : p. 57 : l. 30.

HEREINBEFORE.

Reference to. § 4 : p. 55 : l. 34.

HEREUNDER.

Reference to. § 11 : p. 59 : l. 9.

[The references are to sections, pages, and lines]

HOURS.

Controversy concerning hours of labor, etc., to be mediated on request of either party, etc. § 1 : p. 53 : l. 27.

HUNDRED.

Reference to. § 10 : p. 59 : l. 2. See "Penalties."

I**IMMEDIATELY.**

Pending arbitration status existing immediately prior to dispute shall not be changed. § 3 : p. 54 : l. 37.

INCLUDE.

Term "railroad" shall include, etc. § 1 : p. 53 : l. 3. See "Railroad."

Term "transportation" shall include, etc. § 1 : p. 53 : l. 8. See "Transportation."

Term "employees" shall include, etc. § 1 : p. 53 : l. 10. See "Employees."

Employees signing submission to include majority in service of same employer and of same grade and class. § 6 : p. 57 : l. 7.

INCLUDING.

Reference to. § 3 : p. 54 : l. 41.

INCORPORATED.

Officers of labor associations, whether incorporated or unincorporated, to be heard in courts where railroad is in charge of Federal receiver, etc. § 9 : p. 58 : l. 12.

INCORPORATION.

Every incorporation under chapter 567 of United States Statutes 1885 and 1886 must provide in articles of incorporation, etc., for forfeiture of membership for violence, etc. § 8 : p. 57 : l. 34, 38.

INCORPORATIONS.

Members of incorporations under above provisions of statutes shall not be personally liable for acts, debts, or obligations of the corporations. § 8 : p. 57 : l. 44.

INDIVIDUAL.

Individual employees, not belonging to labor organizations which shall enter into arbitration, not bound by award unless they give consent in writing to become parties. § 3 : p. 55 : l. 27, 31.

INDIVIDUALLY.

Agreement of arbitration entered into by employees individually instead of by labor organization as their representative. § 6 : p. 56 : l. 41.

[The references are to sections, pages, and lines]

INEFFICIENCY.

During pendency of arbitration unlawful to discharge employees parties thereto except for inefficiency, violation of law, or neglect of duty. § 7 : p. 57 : l. 15.

INJUNCTION.

No injunction or other legal process shall be issued which shall compel performance by any laborer against his will of a contract for personal labor or service. § 3 : p. 55 : l. 7.

INJURY.

Unlawful to require employee as condition of employment to release employer from legal liability for personal injury by reason of benefit received from charitable fund, etc. § 1 : p. 58 : l. 35.

INSTIGATING.

By-laws, etc., of national trade union must provide for forfeiture of membership for instigating force or violence, etc. § 8 : p. 57 : l. 40.

INSTRUMENTALITIES.

Term "transportation" shall include all instrumentalities of shipment or carriage. § 1 : p. 53 : l. 8.

INTENT.

Unlawful to discharge employees except for causes aforesaid during three months after award without giving thirty days' written notice of intent, etc. § 7 : p. 57 : l. 22.

Unlawful during like period to quit service of employer without just cause without giving thirty days' written notice of intent, etc. § 7 : p. 57 : l. 26.

INTENTION.

Submission must stipulate that employee dissatisfied with award shall not quit service before expiration of three months, etc., without giving thirty days' notice in writing of intention, etc. § 3 : p. 55 : l. 15.

Nor shall employer as above dismiss employee, etc., without giving thirty days' notice in writing of intention. § 3 : p. 55 : l. 20.

INTERESTED.

One arbitrator to be named by carrier or employer directly interested. § 3 : p. 54 : l. 2.

One arbitrator to be named by organization to which employees directly interested belong, etc. § 3 : p. 54 : l. 3.

If employees belong to more than one organization arbitrator to be named by that one which specially represents employees of same grade and class and engaged in services of same nature as said employees so directly interested. § 6 : p. 54 : l. 7.

[The references are to sections, pages, and lines]

INTERESTS.

Reference to. § 3 : p. 54 : l. 9.

INTERRUPT ; INTERRUPTING.

Controversies concerning wages, etc., seriously interrupting or threatening to interrupt business, etc., at request of either party, to be mediated, etc. § 2 : p. 53 : l. 29.

INTERSTATE COMMERCE COMMISSION.

See "Commission."

INTERSTATE TRANSPORTATION.

Reference to. § 12 : p. 59 : l. 20.

INTIMIDATIONS.

Incorporations of national trade unions, etc., must stipulate in constitution, rules, by-laws, etc., for forfeiture of membership for seeking to prevent others from working through violence, threats, or intimidations. § 8 : p. 57 : l. 43.

INVESTIGATION.

Reference to. § 5 : p. 56 : l. 24.

INVOKE.

Arbitrators may invoke aid of United States Courts to compel witnesses to attend and testify, etc. § 5 : p. 56 : l. 24.

INVOLVES.

Reference to. § 3 : p. 54 : l. 8.

ISSUED.

No injunction, etc., shall be issued to compel performance by laborer against his will of a contract for personal labor or service. § 3 : p. 55 : l. 8.

J

JUDGMENT.

Judgment shall be entered upon award at expiration of ten days from filing unless exceptions taken. § 4 : p. 55 : l. 35.

Judgment shall be entered when exceptions finally disposed of either by Circuit Court or on appeal therefrom. § 4 : p. 55 : l. 40.

Judgment entered in accordance with decision of Circuit Court upon exceptions at expiration of ten days, etc., unless either party shall appeal to Circuit Court of Appeals. § 4 : p. 56 : l. 1.

Final judgment shall be issued pursuant to determination of Circuit Court of Appeals. § 4 : p. 56 : l. 10.

If exceptions sustained, judgment entered setting aside award. § 4 : p. 56 : l. 12.

[The references are to sections, pages, and lines]

JUDGMENT (Continued).

In above case parties may agree upon a judgment to be entered, etc., which shall have same force and effect as judgment entered upon an award. § 4 : p. 56 : l. 14, 16, 17.

Employer may reduce force whenever in its or his judgment business necessities require, etc. § 7 : p. 57 : l. 32.

JURISDICTION.

United States Courts given jurisdiction of misdemeanors as defined in Section 10. § 10 : p. 58 : l. 44.

JUST.

Arbitrators may require attendance and testimony of witnesses, production of such books, etc., material to just determination of matters under investigation. § 5 : p. 56 : l. 23.

Unlawful for employees, for three months after award, to quit service without just cause, without giving notice, etc. § 7 : p. 57 : l. 24.

JUSTLY.

Reference to. § 6 : p. 57 : l. 10.

L

LABOR.

Controversy concerning hours of labor, etc., to be mediated, etc., and arbitrated. § 1 : p. 53 : l. 27.

Contract for personal labor against will shall not be compelled by injunction, etc. § 3 : p. 55 : l. 10.

LABOR, COMMISSIONER OF.

Duty of, together with chairman of Interstate Commerce Commission at request of either party to mediate differences and bring about arbitration. § 1 : p. 53 : l. 32.

LABOR ASSOCIATION.

Reference to. § 10 : p. 58 : l. 29.

LABOR CORPORATION.

Reference to. § 10 : p. 58 : l. 29.

LABOR ORGANIZATION.

References to.

§ 3 : p. 54 : l. 2, 14, 25.

§ 7 : p. 57 : l. 26.

§ 3 : p. 55 : l. 28.

§ 10 : p. 58 : l. 25, 26, 29.

§ 6 : p. 56 : l. 41.

LABOR ORGANIZATIONS.

Reference to. § 3 : p. 54 : l. 10, 12.

[The references are to sections, pages, and lines]

LABORER.

No injunction or other legal process shall be issued which shall compel performance by any laborer against his will of a contract of personal labor or service. § 3 : p. 55 : l. 9.

LAW.

Award to be final, unless set aside for error of law apparent on the record. § 3 : p. 55 : l. 2.

Exceptions to be filed within ten days, etc., for matter of law apparent upon the record. § 4 : p. 55 : l. 38.

Only such portion of record to be transmitted to Appellate Court as necessary to proper understanding, etc., of the questions of law presented by exceptions and to be decided. § 4 : p. 56 : l. 6.

During pendency of arbitration unlawful to discharge employee except for inefficiency, violation of law, or neglect of duty. § 7 : p. 57 : l. 15.

Members of national trades unions shall not be liable for acts of members or others in violation of law. § 8 : p. 58 : l. 2.

LAWFUL.

Shall not be lawful pending arbitration for employer to discharge, etc. § 7 : p. 57 : l. 12. See "Employer;" "Employee."

LEASE.

Term "railroad" to include all road in use, etc., whether owned or operated under contract, agreement, or lease. § 1 : p. 53 : l. 7.

Term "employees" to include all persons actually engaged, etc., although cars upon which employed may be held and operated by carrier under lease, etc. § 1 : p. 53 : l. 14.

Provisions of any lease to effect that operating carrier shall not be responsible for acts and defaults of employees, etc., binding only between parties thereto, and not to affect obligations of carrier to the public or to the private parties concerned. § 1 : p. 53 : l. 22.

LEGAL.

Employer prohibited from requiring as condition of employment release from legal liability for any personal injury by reason of any benefit received from fund, etc. § 10 : p. 58 : l. 35.

No injunction or other legal process to be issued compelling involuntary service. § 3 : p. 55 : l. 8.

LESS.

Not less than. References to. § 9 : p. 58 : l. 16. § 10 : p. 59 : l. 1. See "Penalties."

LIABILITY.

Any violation of Section 7 as to discharging during pendency of arbitration or for three months thereafter and quitting service, etc., shall subject offending party to liability for damages. § 7 : p. 57 : l. 29.

[The references are to sections, pages, and lines]

LIABILITY (Continued).

Employer prohibited from requiring as condition of employment release from legal liability, etc. § 10 : p. 58 : l. 35.

LIABLE.

Members of national trade union incorporations shall not be personally liable for acts, debts, or obligations of the corporations. § 8 : p. 57 : l. 44.

National trade unions shall not be liable for acts of members or others in violation of law, § 8 : p. 58 : l. 1.

LIKE.

Reference to. § 7 : p. 57 : l. 23.

LOCKOUTS.

Constitution, by-laws, etc., of trade union incorporations, etc., to provide for forfeiture of membership for violence during strikes, lockouts, etc. § 8 : p. 57 : l. 41.

LOSS.

Unlawful to threaten any employee with loss of employment because of membership in labor organizations, etc. § 10 : p. 58 : l. 27.

M**MADE.**

Reference to. § 9 : p. 58 : l. 14.

MAKE.

Reference to. § 3 : p. 54 : l. 23.

MAKING.

Reference to. § 3 : p. 55 : l. 14, 19.

MAJORITY.

Reference to. § 3 : p. 54 : l. 13, 14.

Majority of arbitrators competent to make valid and binding award. § 3 : p. 54 : l. 22.

Employees signing submission must represent or include majority, etc. § 6 : p. 57 : l. 8.]

MANNER.

References to. § 1 : p. 53 : l. 19. § 3 : p. 53 : l. 43, 45.

MASTERS.

Masters of vessels and seamen as defined in Section 4612, Revised Statutes, excepted from Act. § 1 : p. 52 : l. 33.

MATERIAL.

Arbitrators may require production of books, papers, contracts, etc., material to a just determination of matters under investigation. § 5 : p. 56 : l. 23.

[The references are to sections, pages, and lines]

MATTER, SUBJECT.

Reference to. § 4 : p. 56 : l. 15.

MATTER OF LAW.

Exceptions may be taken to award for matter of law apparent upon the record. § 4 : p. 55 : l. 38.

MATTERS.

Reference to. § 5 : p. 56 : l. 24.

MAY.

Reference to. § 8 : p. 58 : l. 2.

MEDIATION.

Chairman of Commission and Commissioner of Labor upon request, etc., to use best efforts by mediation, etc. § 2 : p. 53 : l. 35.

Controversies which cannot be settled by mediation, etc., may be submitted to arbitration. § 3 : p. 53 : l. 42.

MEETING.

Chairman of Commission shall fix time and place for meeting of Board within fifteen days from execution of agreement of arbitration. § 6 : p. 57 : l. 1.

Chairman of Commission shall decline to call a meeting except on conditions stated. § 6 : p. 57 : l. 5.

Reference to. § 3 : p. 54 : l. 20.

Submission shall be in writing and specify time and place of meeting. § 3 : p. 54 : l. 27.

MEMBER.

Constitution, etc., of incorporation of national trade unions, etc., to provide that member shall cease to be such because of participation in force, violence, etc. § 8 : p. 57 : l. 39.

Unlawful to require as condition of employment agreement not to become or remain a member of any labor corporation, etc. § 10 : p. 58 : l. 25.

Each member of Board of Arbitration to receive \$10 per day, etc. § 11 : p. 59 : l. 3.

MEMBERS.

Reference to. § 3 : p. 54 : l. 13.

Members of trade union incorporations shall not be personally liable for acts, debts, or obligations of the corporations. § 8 : p. 57 : l. 43.

Above corporations shall not be liable for acts of members or others in violation of law. § 8 : p. 58 : l. 1.

Such corporations may appear by representatives before Arbitration Board or in any suits, etc., in Federal Courts for or against such corporations or other members. § 8 : p. 58 : l. 5.

[The references are to sections, pages, and lines]

MEMBERSHIP.

Unlawful to threaten employee with loss of employment or unjustly discriminate because of membership in labor corporation, etc.
§ 10 : p. 58 : l. 28.

MISDEMEANOR.

- Any employer subject to provisions of this Act,
and any officer, agent, or receiver of such employer
who shall require any employee
or any person seeking employment,
as a condition of such employment,
to enter into an agreement, either written or verbal,
not to become or remain a member
of any labor corporation, association, or organization. § 10 :
p. 58 : l. 26.
- Or shall threaten any employee with loss of employment,
or shall unjustly discriminate against any employee
because of his membership in such a labor corporation, associ-
ation, or organization. § 10 : p. 58 : l. 29.
- Or who shall require
any employee
or any person seeking employment,
as a condition of such employment,
to enter into a contract
whereby such employee or applicant for employment shall agree
to contribute to any fund for charitable, social, or beneficial
purposes. § 10 : p. 58 : l. 34.
- to release such employer from legal liability for any personal
injury by reason of benefit received from such fund beyond
proportion of benefit arising from employer's contribution to
such fund. § 10 : p. 58 : l. 38.
- Or who shall, etc., attempt or conspire to prevent discharged em-
ployee from obtaining employment. § 10 : p. 58 : l. 40.
- Or who shall, etc., attempt or conspire to prevent employee after
quitting service from obtaining employment. § 10 : p. 58 : l. 41.
- Above declared to be guilty of misdemeanor. § 10 : p. 58 : l. 43.
- Punishment for conviction thereof, etc. Fine not less than \$100
and not more than \$1,000. § 10 : p. 59 : l. 1.

MONEY.

Reference to. § 11 : p. 59 : l. 6, 15.

MONTHS.

Submission to stipulate that employees shall not quit service before
expiration of three months after award, etc. § 3 : p. 55 : l. 13.

Also that employer shall not dismiss employee before expiration of
three months, etc. § 3 : p. 55 : l. 18.

[The references are to sections, pages, and lines]

MONTHS (Continued).

For three months after award, unlawful to discharge employee except for causes aforesaid without thirty days' notice, etc. § 7 : p. 57 : l. 19.

Or for employees to quit service, without just cause, within three months after award, etc. § 7 : p. 57 : l. 23.

MORE.

Reference to. § 3 : p. 54 : l. 4.

MUST.

Reference to. § 8 : p. 57 : l. 37.

N

NAME.

If the two arbitrators fail to name a third arbitrator within five days, etc., the Commissioners shall name him. § 3 : p. 54 : l. 19.

NAMED.

One arbitrator to be named by carrier of employer, etc. § 3 : p. 54 : l. 1.

The other arbitrator to be named by labor organization, etc. § 3 : p. 54 : l. 2.

Reference to. § 3 : p. 54 : l. 21.

NATIONAL TRADE UNIONS.

References to. § 8 : p. 57 : l. 34, 44, 45. § 8 : p. 58 : l. 1, 2, 5.

NATURE.

Second arbitrator to be named by labor organization, etc., which specially represents employees, etc., in services of same nature as said employees so directly interested, etc. § 3 : p. 54 : l. 7.

NECESSARY.

Only such portion of record to be transmitted to Appellate Court as is necessary to proper understanding and consideration of the questions of law presented by said exceptions, etc. § 4 : p. 56 : l. 5.

Each member to receive necessary travelling expenses, etc. § 11 : p. 59 : l. 7.

Necessary and proper expenses of any conciliation or arbitration ; money for, appropriated. § 11 : p. 59 : l. 7.

NECESSITIES.

Employer may reduce force pending and after arbitration, etc., for business necessities. § 7 : p. 57 : l. 33.

NEGLECT.

Pending arbitration, unlawful for employer to discharge employees, parties thereto, except for inefficiency, violation of law, or neglect of duty. § 7 : p. 57 : l. 15.

[The references are to sections, pages, and lines]

NEW.

No new arbitration upon same subject between same employer, etc., shall be had until expiration of one year, etc. § 3 : p. 55 : l. 23.

NOT LESS THAN.

Reference to. § 9 : p. 58 : l. 16. See "Penalties."

NOT MORE THAN.

Reference to. § 10 : p. 59 : l. 2. See "Penalties."

NOT OTHERWISE.

Reference to. § 11 : p. 59 : l. 16.

NOTARY.

Every agreement of arbitration to be acknowledged by parties before Notary Public or Clerk of Court, etc. § 6 : p. 56 : l. 33.

NOTHING.

Reference to. § 7 : p. 57 : l. 25.

NOTICE.

Submission to stipulate that employees dissatisfied with award shall not quit service, etc., before three months after award without giving thirty days' notice in writing, etc. § 3 : p. 55 : l. 15.

Submission to stipulate that employer shall not dismiss employee on account of dissatisfaction with award before expiration of three months, etc., without giving thirty days' notice in writing, etc. § 3 : p. 55 : l. 20.

Chairman of Commission shall cause notice in writing to be served upon arbitrators fixing time and place for meeting, etc. § 6 : p. 56 : l. 45.

Thirty days' notice required for discharge of employee during period of three months after award. § 7 : p. 57 : l. 27.

A like notice on part of employee quitting service without just cause within like period. § 7 : p. 57 : l. 25.

Receiver of railroad not to reduce wages without authority of Court upon not less than twenty days' notice to employees, etc. § 9 : p. 58 : l. 15, 16.

NOTWITHSTANDING.

Reference to. § 1 : p. 53 : l. 12.

NUMBER.

Where majority of employees not members of labor organization, they may by majority vote select a committee of their own number to select arbitrator on behalf of said employees. § 3 : p. 54 : l. 15.

Employer party to arbitration may reduce number of employees when business interests require. § 7 : p. 57 : l. 31.

[The references are to sections, pages, and lines]

O

OBLIGATIONS.

Lease or contract waiving responsibility of carrier on leased cars shall not affect obligations of carrier either to public or to the private parties concerned. § 1 : p. 53 : l. 24.

Members of national trade union incorporations shall not be personally liable for acts, deeds, or obligations of the corporations. § 8 : p. 57 : l. 45.

OBTAINING.

Unlawful for employer to prevent discharged employee or employee who has quit service from obtaining employment, etc. § 10 : p. 58 : l. 39, 42.

OFFENDING.

Any violation of Section 7 as to restrictions on parties during pendency of arbitration and after award shall subject offending party to liability for damages. § 7 : p. 57 : l. 28.

OFFENSE.

United States Court of competent jurisdiction in district in which offense was committed given jurisdiction over misdemeanors as defined in Section 10. § 10 : p. 58 : l. 45.

Reference to. § 10 : p. 59 : l. 1.

OFFICE.

Award, papers, proceedings, testimony, etc., to be filed in Clerk's office of Circuit Court, etc. § 3 : p. 54 : l. 44.

Copy of every agreement of arbitration to be filed in office of Commission. § 6 : p. 56 : l. 38.

OFFICER.

Any officer, etc., of employer liable to punishment for acts declared to be misdemeanors in Section 10. § 10 : p. 58 : l. 21.

OFFICERS.

Act applies to officers of common carriers. § 1 : p. 52 : l. 32.

Employees of railroad in hands of receivers entitled to be heard in court through the officers, etc., of their associations. § 9 : p. 58 : l. 11.

Expenses of conciliation, arbitration, etc., to be audited by proper accounting officers of treasury. § 11 : p. 59 : l. 12.

ONCE.

Reference to. § 2 : p. 53 : l. 37.

ONE.

Reference to. § 11 : p. 59 : l. 9.

[The references are to sections, pages, and lines]

ONLY.

Reference to. § 1 : p. 53 : l. 23.

OPERATED.

Term "railroad" to include all bridges and ferries used or operated in connection with any railroad. § 1 : p. 53 : l. 4.

Above term to include all the road in use by any corporation operating a railroad, whether owned or operated under contract, agreement, or lease. § 1 : p. 53 : l. 6.

Term "employees" to include all persons actually engaged, etc., notwithstanding that cars upon or in which they are employed may be held and operated by the carrier under lease, etc. § 1 : p. 53 : l. 14.

Notice to employees of wage reductions to be posted upon all customary bulletin boards along or upon the railway operated by such receiver, etc. § 9 : p. 58 : l. 19.

OPERATING.

Reference to. § 1 : p. 53 : l. 6. See "Operated."

OPERATION.

Term "employees" to include all persons actually engaged in any capacity in train operation, etc. § 1 : p. 53 : l. 12.

Award to continue in force for one year after same shall go into practical operation. § 3 : p. 55 : l. 23. § 4 : p. 55 : l. 35.

If exceptions taken, award shall go into practical operation, etc., when exceptions finally disposed of, etc. § 4 : p. 55 : l. 40.

ORDER.

During pendency of arbitration unlawful for organization representing employees to order strikes, etc. § 7 : p. 57 : l. 17.

Unlawful for labor organization to order quitting service without thirty days' notice, etc. § 7 : p. 57 : l. 27.

ORDERED.

Reference to. § 5 : p. 56 : l. 24.

ORGANIZATION.

References to. § 3 : p. 54 : l. 3, 14, 25. § 3 : p. 55 : l. 28. § 6 : p. 56 : l. 42. § 7 : p. 57 : l. 16, 26. § 10 : p. 58 : l. 26, 29.

ORGANIZATIONS.

Reference to. § 3 : p. 54 : l. 10, 12, 29.

OTHER.

Reference to. § 1 : p. 53 : l. 2.

OTHERS.

Reference to. § 8 : p. 58 : l. 1.

OTHERWISE.

Reference to. § 7 : p. 57 : l. 27.

[The references are to sections, pages, and lines]

OUT OF.

Reference to. § 11 : p. 59 : l. 15.

OWN.

Reference to. § 3 : p. 54 : l. 15.

OWNED.

References to. § 1 : p. 53 : l. 6. § 1 : p. 53 : l. 20.

P**PAPERS.**

The award, papers, etc., to have effect of bill of exceptions and to be filed in Clerk of Court's office. § 3 : p. 54 : l. 40.

Arbitrators may order production of, etc. § 5 : p. 56 : l. 22.

Arbitrators may invoke aid of United States Courts to compel witnesses to produce papers, etc. § 5 : p. 56 : l. 27.

PARTICIPATING.

Constitution, etc., of national trade unions to stipulate for forfeiture of membership for participating in force or violence, etc. § 8 : p. 57 : l. 39.

PARTIES.

Leases or contracts exempting carrier from responsibility on leased cars for Acts and defaults of employees binding only between the parties, etc., and shall not affect obligations of said carrier to the public or to the private parties concerned. § 1 : p. 53 : l. 23, 25.

References to. § 2 : p. 53 : l. 34. § 7 : p. 57 : l. 14.

Every agreement of arbitration to be acknowledged by the parties before notary public, etc. § 6 : p. 56 : l. 33.

If exception to award sustained the parties may agree upon a judgment, etc. § 4 : p. 56 : l. 14.

PARTLY.

Act applies to carriers engaged in transportation, etc., wholly by railroad, or partly by railroad and partly by water, etc. § 1 : p. 52 : l. 37, 38.

PARTY.

Either party may file exceptions to award within ten days. § 4 : p. 55 : l. 38.

Either party may appeal from decision of Circuit Court upon exceptions within ten days, etc. § 4 : p. 56 : l. 2.

References to. § 7 : p. 57 : l. 13. § 7 : p. 57 : l. 31.

Any violation of Section 7 as to restrictions during pendency of arbitration and after award, etc., shall subject offending party to liability for damages. § 7 : p. 57 : l. 29.

[The references are to sections, pages, and lines]

PASSENGERS.

Reference to. § 1 : p. 52 : l. 35.

PAY.

Reference to. § 11 : p. 59 : l. 6.

PENALTIES.

For refusal to attend, testify, produce books, papers, etc., when aid of United States Courts is invoked by arbitrators, same penalties as provided in Act to regulate Commerce, Feb. 4, 1887, and amendments thereto. § 5 : p. 56 : l. 29.

For violation of Section 7 as to restrictions on parties during arbitration and after award, liability for damages. § 7 : p. 57 : l. 29.

PENALTY.

For acts defined as misdemeanors in Section 10, fine of not less than \$100 and not more than \$1,000. § 10 : p. 59 : l. 1. See "Misdemeanor."

PENDENCY.

Restrictions on parties during pendency of arbitration stated. § 7 : p. 57 : l. 12.

PENDING.

Submission shall stipulate that pending the arbitration the status existing immediately prior to the dispute shall not be changed. § 3 : p. 54 : l. 36.

PERFORMANCE.

Performance of personal labor or service shall not be compelled by injunction or other legal process. § 3 : p. 55 : l. 9.

PERIOD.

Award shall continue in force for period of one year after same shall go into practical operation. § 3 : p. 55 : l. 22.

Reference to. § 7 : p. 57 : l. 18, 23.

PERMIT.

Submission shall stipulate that award may be enforced, etc., in equity so far as powers of a Court of Equity permit. § 3 : p. 55 : l. 7.

PERSON.

Reference to. § 10 : p. 58 : l. 22, 30.

PERSONAL.

Submission shall stipulate that no employee shall be compelled to render personal service without his consent. § 3 : p. 54 : l. 39.

Performance by laborer of contract for personal labor and services, etc., shall not be compelled by injunction or other legal process. § 3 : p. 55 : l. 10.

[The references are to sections, pages, and lines]

PERSONAL (Continued).

Unlawful to require as condition of employment release by employer from legal liability for any personal injury by reason of benefit received from charitable fund, etc. § 10 : p. 58 : l. 35.

PERSONALLY.

Members of national trade union incorporations not personally liable for acts, debts, or obligations of corporations. § 8 : p. 57 : l. 44.

PERSONS.

Term "employee" shall include all persons actually engaged in any capacity in train operation and train service, etc. § 1 : p. 53 : l. 11.

Controversy between carriers subject to this Act and employees, etc., may be submitted to arbitration of a Board of three persons, etc. § 3 : p. 53 : l. 45.

References to. § 8 : p. 57 : l. 41. § 12 : p. 59 : l. 21.

PETITION.

Of receiver to reduce wages. § 9 : p. 58 : l. 17.

PLACE.

References to. § 1 : p. 52 : l. 4. § 1 : p. 53 : l. 1, 2.

The submission shall specify time and place of meeting of Board of Arbitration. § 3 : p. 54 : l. 27.

Chairman of Commission shall fix time and place for meeting of said Board. § 6 : p. 57 : l. 1.

PORITION.

Only such portion of record to be transmitted to Appellate Court as necessary for proper understanding, etc., of the questions of law. § 4 : p. 56 : l. 4.

POSSESSION.

Reference to. § 9 : p. 58 : l. 8.

POSTED.

Reference to. § 9 : p. 58 : l. 17.

POWER.

Arbitrators to have power to administer oaths, etc. § 5 : p. 56 : l. 19.

POWERS.

Reference to. § 3 : p. 55 : l. 6.

PRACTICABLE.

Reference to. § 2 : p. 53 : l. 33.

PRACTICAL.

References to. § 3 : p. 55 : l. 23. § 4 : p. 55 : l. 35, 40.

PRECEDING.

References to. § 3 : p. 53 : l. 73. § 3 : p. 54 : l. 21. § 5 : p. 56 : l. 19, 29. § 6 : p. 56 : l. 43.

[The references are to sections, pages, and lines]

PRESENTED.

Reference to. § 4 : p. 56 : l. 6.

PREVENT.

Nothing in Act shall be construed to prevent employer reducing force for business necessities. § 7 : p. 57 : l. 30.

Constitution of national trades unions, etc., shall stipulate for forfeiture of membership for seeking to prevent during strikes, etc., others from working, through violence, threats, or intimidations. § 8 : p. 57 : l. 42.

Unlawful for employer to attempt or conspire to prevent employee obtaining employment, etc. § 10 : p. 58 : l. 41.

PRIOR.

Status, etc., prior to dispute shall not be changed during arbitration. § 3 : p. 54 : l. 37.

PRIVATE.

Reference to. § 1 : p. 53 : l. 25.

PROCEEDINGS.

Award, papers, and proceedings, etc., to have effect of bill of exceptions when certified and to be filed in Clerk of Court's office, etc. § 3 : p. 54 : l. 40.

Reference to. § 8 : p. 58 : l. 4.

PROCESS.

No injunction or other legal process to be issued to compel involuntary service. § 3 : p. 55 : l. 8.

PRODUCE.

Arbitrators may invoke aid of United States Courts to compel witnesses to produce books, papers, etc. § 5 : p. 56 : l. 25.

PRODUCTION.

Arbitrators to have power to order production of books, papers, etc. § 5 : p. 56 : l. 22.

PROPER.

References to. § 4 : p. 56 : l. 5. § 11 : p. 59 : l. 8, 11.

PROPERTY.

Instigating force or violence against persons or property during strikes, etc., to forfeit membership in trade unions, etc. § 8 : p. 57 : l. 41.

Reference to. § 1 : p. 52 : l. 36. § 8 : p. 57 : l. 41. § 12 : p. 59 : l. 20.

PROPORTION.

Reference to. § 10 : p. 58 : l. 36.

[The references are to sections, pages, and lines]

PROVIDED.

References to various provisos of the Act. § 1 : p. 53 : l. 15.
§ 3 : p. 54 : l. 7, 38. § 3 : p. 55 : l. 7. § 6 : p. 57 : l. 3. § 7 :
p. 57 : l. 29.

References to. § 3 : p. 53 : l. 43. § 3 : p. 54 : l. 34. § 3 : p. 55 :
l. 27. § 4 : p. 55 : l. 35. § 5 : p. 56 : l. 29, 43. § 8 : p. 57 :
l. 37.

PROVISIONS.

References to. § 1 : p. 52 : l. 31. § 1 : p. 53 : l. 21. § 2 : p. 53 :
l. 39. § 3 : p. 54 : l. 23, 29. § 8 : p. 57 : l. 34. § 10 : p. 58 :
l. 20.

PUBLIC.

References to. § 1 : p. 53 : l. 25. § 6 : p. 56 : l. 34.

PUNISHED.

Reference to. § 10 : p. 59 : l. 1. See "Penalties."

PURPOSES.

References to. § 5 : p. 56 : l. 18. § 10 : p. 58 : l. 34.

PURSUANT.

References to. § 4 : p. 56 : l. 10. § 6 : p. 57 : l. 10.

Q**QUESTIONS.**

The submission to arbitration shall state the questions to be decided. § 3 : p. 54 : l. 28.

Only such portion of record to be transmitted to Appellate Court as is necessary to proper understanding, etc., of the questions of law presented by exceptions. § 4 : p. 56 : l. 6.

Reference to. § 4 : p. 56 : l. 9.

Right of employees of Federal receiver to be heard on all questions affecting terms, conditions of employment, etc. § 9 : p. 58 :
l. 10.

QUIT.

Submission to arbitration shall stipulate that employees dissatisfied with award, etc., shall not quit service of employer before expiration of three months, etc., without thirty days' notice, etc. § 3 : p. 55 : l. 12, 15.

Unlawful during period of three months after award for employee to quit service without just cause, without giving thirty days' written notice, etc. § 7 : p. 52 : l. 23.

R

RAILROAD.

References to. § 1 : p. 52 : l. 36. § 12 : p. 59 : l. 19.

Definition of. Shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any corporation operating a railroad, whether owned or operated under a contract, agreement, or lease. § 1 : p. 53 : l. 3, 5, 6.

RAILROADS.

References to. § 1 : p. 53 : l. 6. § 9 : p. 58 : l. 8, 9.

RAILWAY.

Reference to. § 9 : p. 58 : l. 18.

REASON.

References to. § 3 : p. 55 : l. 12. § 10 : p. 58 : l. 35.

RECEIVE.

Reference to. § 11 : p. 59 : l. 4.

RECEIVED.

Reference to. § 10 : p. 58 : l. 36.

RECEIVER.

Employees of railroads in hands of Federal receiver to be heard, etc. § 9 : p. 58 : l. 19.

Any receiver of an employer doing acts defined to be misdemeanors under Section 10 to be punished by fine, etc. § 10 : p. 58 : l. 21.

RECEIVERS.

Reference to. § 9 : p. 58 : l. 7.

No reduction of wages shall be made by receivers without authority of Court and notice to employees, etc. § 9 : p. 58 : l. 14, 17, 19.

RECORD.

Award final unless set aside for error of law apparent on the record. § 3 : p. 55 : l. 3.

Either party may file exceptions to award for error of law apparent upon the record. § 4 : p. 55 : l. 39.

Only such portion of record to be transmitted to Appellate Court as necessary to proper understanding, etc., of questions of law, etc. § 4 : p. 56 : l. 4.

REDUCING.

Nothing in Act to prevent employer from reducing number of employees for business necessities. § 7 : p. 57 : l. 31.

[The references are to sections, pages, and lines]

REDUCTION.

Reduction of employees permitted for business reasons pending or after arbitration. § 7 : p. 57 : l. 33.

No reduction of wages to be made by Federal receivers without authority of Court and notice to employees, etc. § 9 : p. 58 : l. 13.

REFERENCES TO OTHER ACTS.

To Chapter 567 of United States Statutes of 1885 and 1886. § 8 : p. 57 : l. 35.

To the Act to regulate Commerce of Feb. 4, 1887, and amendments. § 5 : p. 56 : l. 29.

Repealing Act of Oct. 1, 1888, to create Boards of Arbitration, etc. § 12 : p. 59 : l. 17.

REGARDED.

Reference to. § 6 : p. 57 : l. 10.

RELATING.

Reference to. § 3 : p. 54 : l. 41.

RELEASE.

Unlawful to release employer from legal liability for personal injury by reason of benefit received from charitable fund, etc. § 10 : p. 58 : l. 34.

REMAIN.

Unlawful to require employee as condition of employment to agree not to remain member of labor corporation, etc. § 10 : p. 58 : l. 25.

RENDER.

No employee shall be compelled to render personal service without his consent. § 3 : p. 54 : l. 38.

REPEALED.

Act of Oct. 1, 1888, to create Boards of Arbitration, etc., repealed. § 12 : p. 59 : l. 22.

REPRESENT.

Reference to. § 6 : p. 57 : l. 7.

REPRESENTATIVE.

Reference to. § 6 : p. 56 : l. 42.

REPRESENTATIVES.

National trades union corporations, etc., may appear by designated representatives before Board of Arbitration, or in any suits or proceedings, etc., in Federal Courts. § 8 : p. 58 : l. 3.

Employees entitled to be heard in Courts through representatives, etc., of other associations when railroad is in possession of Federal receiver, etc. § 9 : p. 58 : l. 12.

[The references are to sections, pages, and lines]

REPRESENTING.

The submission shall be signed by employer and by labor organization representing the employees. § 3 : p. 54 : l. 26.

Unlawful for organization representing employees to order strikes, etc., during pendency of arbitration. § 7 : p. 57 : l. 16.

Unlawful for organization representing employees to order, counsel, or advise quitting service without just cause, without notice, etc. § 7 : p. 57 : l. 26.

REPRESENTS.

Reference to. § 3 : p. 54 : l. 5.

REQUEST.

Upon request of either party to controversy chairman of Commission and Commissioner of Labor shall mediate, etc. § 2 : p. 53 : l. 32.

REQUIRE.

Arbitrators to have power to require attendance and testimony of witnesses, production of books and papers, etc. § 5 : p. 56 : l. 20.

Employer may reduce force whenever business necessities require. § 7 : p. 57 : l. 33.

Unlawful to require employee as condition of employment to agree to contribute to any fund for charitable, social, or beneficial purposes. § 10 : p. 58 : l. 30.

Unlawful for employer to require employee as condition of employment to agree not to become or remain member of labor corporation, association, or organization. § 9 : p. 58 : l. 23.

RESPECTIVE.

References to. § 3 : p. 54 : l. 29. § 3 : p. 55 : l. 4.

RESPONSIBLE.

Operating carrier under lease, etc., to be responsible in every case for acts and defaults of employees, etc. § 1 : p. 53 : l. 18.

REVISED STATUTES.

Of United States. Reference to Section 4612 defining vessels and seamen. § 1 : p. 52 : l. 34.

RIGHT.

Employees of railroads in hands of Federal receiver to have right to be heard in court upon all questions affecting terms and conditions of employment. § 9 : p. 58 : l. 9.

ROAD.

Term "railroad" to include all the road in use by any corporation operating a railroad, whether owned or operated under a contract, agreement, or lease, etc. § 1 : p. 53 : l. 5.

RULES.

Rules, etc., of national trade incorporations to stipulate for forfeiture of membership for violence, etc. § 8 : p. 57 : l. 38.

[The references are to sections, pages, and lines]

S

SAID.

Reference to. § 9 : p. 58 : l. 15.

SAME.

References to.

§ 1 : p. 53 : l. 19, 20.	§ 6 : p. 56 : l. 35, 37.
§ 3 : p. 54 : l. 5, 6.	§ 6 : p. 57 : l. 8, 9.
§ 3 : p. 55 : l. 5, 23, 24, 25.	§ 11 : p. 59 : l. 7.
§ 5 : p. 56 : l. 28.	

SATISFACTION.

Reference to. § 6 : p. 57 : l. 6.

SEAMAN.

Except from provisions of Act. § 1 : p. 32 : l. 33.

SEAMEN.

Reference to Section 4612, United States Revised Statutes, defining seamen. § 1 : p. 52 : l. 33.

SECTION.

Any violation of Section 7 as to restrictions on parties during pendency of arbitration and after award shall subject offending party to liability for damages. § 7 : p. 57 : l. 28.

SECTIONS.

References to.

To Section 4612 Revised Statutes. § 1 : p. 52 : l. 33.
To Section 2 of Act. § 3 : p. 53 : l. 43.
To Section 3. § 3 : p. 54 : l. 22, 34.
To Section 4. § 3 : p. 55 : l. 27.

SEEKING.

References to. § 8 : p. 57 : l. 42. § 10 : p. 58 : l. 22, 30.

SELECT.

Reference to. § 3 : p. 54 : l. 15, 16, 18.

SERIOUSLY.

Reference to. § 2 : p. 53 : l. 29.

SERVED.

Chairman of Commission shall cause notice in writing to be served upon arbitrators fixing time and place of meeting, etc. § 6 : p. 56 : l. 45.

SERVICE.

Term "employees" shall include all persons actually engaged, etc., in train operation or train service of any description. § 1 : p. 53 : l. 12.

[The references are to sections, pages, and lines]

SERVICE (Continued).

This Act shall apply only to employees engaged in railroad train service. § 1 : p. 53 : l. 17.

No employee shall be compelled to render personal service without his consent. § 3 : p. 54 : l. 39.

No injunction or other legal process shall be issued which shall compel performance of contract for personal labor or service by any laborer against his will. § 3 : p. 55 : l. 10.

Employees shall not quit service after award within three months without notice, etc. § 3 : p. 55 : l. 12.

Reference to. § 6 : p. 57 : l. 8. -

Unlawful for three months after award to quit service of employer without just cause without notice in writing, etc. § 7 : p. 57 : l. 24.

SERVICES.

Reference to. § 3 : p. 54 : l. 6.

SET ASIDE.

If award not set aside to continue in force one year. § 3 : p. 55 : l. 26.

SETTING ASIDE.

If exceptions sustained judgment shall be entered setting aside the award. § 4 : p. 56 : l. 13.

SETTLE.

Reference to. § 2 : p. 53 : l. 36.

SETTLED.

Reference to. § 3 : p. 53 : l. 42.

SETTLING.

Reference to. § 12 : p. 59 : l. 18.

SHIPMENT.

Reference to. § 1 : p. 52 : l. 37.

Term "transportation" shall include all instrumentalities of shipment or carriage. § 1 : p. 53 : l. 9.

SHOWN.

Reference to. § 6 : p. 57 : l. 6.

SIGN.

Arbitrators to have power to sign subpoenas, etc. § 4 : p. 56 : l. 20.

SIGNED.

Submission shall be in writing and signed by employer and by labor organization, etc. § 3 : p. 54 : l. 25.

SIGNING.

Reference to. § 6 : p. 57 : l. 7.

[The references are to sections, pages, and lines]

SOCIAL.

Unlawful to require employee, etc., to agree to contribute to any fund for social, etc., purposes. § 10 : p. 58 : l. 34.

SPECIALLY.

Reference to. § 3 : p. 54 : l. 5.

SPECIFICALLY.

Submission, etc., to stipulate that award may be specifically enforced in equity, etc. § 3 : p. 55 : l. 6.

SPECIFY.

The submission shall specify time and place of meeting of Board. § 3 : p. 54 : l. 26.

STATE.

References to. § 1 : p. 52 : l. 38, 39: § 3 : p. 54 : l. 27.

STATUS.

Pending arbitration the status existing immediately prior to dispute shall not be changed. § 3 : p. 54 : l. 36.

STATUTES.

Revised Statutes of United States. Reference to Section 4612. § 1 : p. 52 : l. 34.

Of United States. Reference to Chapter 567 of Statutes of 1885 and 1886. § 8 : p. 57 : l. 36.

STIPULATE.

Submission to arbitration shall stipulate as follows :

The Board to commence hearings within ten days from date of appointment of third arbitrator. § 3 : p. 54 : l. 31.

To find and file award within thirty days from appointment of third arbitrator. § 3 : p. 54 : l. 33.

Pending arbitration, status, etc., shall not be changed. § 3 : p. 54 : l. 36.

That award, papers, proceedings, testimony, etc., certified to be filed in Clerk's office of the United States Circuit Court. § 3 : p. 54 : l. 43.

Said award, papers, etc., to have force and effect of a bill of exceptions. § 3 : p. 54 : l. 43.

Award shall be final and conclusive unless set aside for error of law apparent on record. § 3 : p. 55 : l. 1.

That respective parties will faithfully execute same. § 3 : p. 55 : l. 4.

That award may be specifically enforced in equity, etc. § 3 : p. 55 : l. 5.

That notice, etc., of termination of service shall be given by employee during period within three months after award, etc. § 3 : p. 55 : l. 15.

[The references are to sections, pages, and lines]

STIPULATE (Continued).

That employer shall not dismiss before expiration of three months, etc., without notice in writing, etc. § 3 : p. 55 : l. 16.

That award shall continue in force, etc., for one year, etc. § 3 : p. 55 : l. 21.

That no new arbitration upon same subject, etc., between same employer and class of employees shall be had until expiration of said year, etc. § 3 : p. 55 : l. 23.

That individual employees not belonging to labor organizations which shall enter into arbitration shall not be bound by award unless said employees give assent in writing to become parties. § 3 : p. 55 : l. 27.

STREET.

This Act shall not be held to apply to employees of street railways. § 1 : p. 53 : l. 16.

STRIKES.

During pendency of arbitration unlawful for organization representing employees to order strikes, etc. § 7 : p. 57 : l. 18.

Constitution, etc., of national trades union incorporations to provide for forfeiture of membership for members participating in force or violence, etc., during strikes. § 8 : p. 57 : l. 41.

SUBJECT.

References to. § 2 : p. 53 : l. 28. § 3 : p. 53 : l. 41. § 3 : p. 55 : l. 24. § 7 : p. 57 : l. 28. § 10 : p. 58 : l. 20.

SUBJECT MATTER.

Reference to. § 4 : p. 56 : l. 15.

SUBMISSION.

The submission to arbitration shall be in writing, shall be signed by employer and by labor organization representing employees, shall specify time and place of meeting of said Board of Arbitration, shall state the questions to be decided. § 3 : p. 54 : l. 24.

The submission shall contain appropriate provisions by which the representative parties shall stipulate, etc. § 3 : p. 54 : l. 29.
See "Stipulate."

Reference to. § 6 : p. 57 : l. 7, 10.

SUBMITTED.

Reference to. § 3 : p. 53 : l. 44.

SUBPŒNA.

The arbitrators shall have power to sign subpœnas, etc. § 4 : p. 56 : l. 20.

SUCH.

References to. § 3 : p. 54 : l. 17. § 7 : p. 57 : l. 14, 16, 19, 20. § 8 : p. 57 : l. 39, 45. § 9 : p. 58 : l. 14, 15, 19. § 10 : p. 58 : l. 23, 28, 34, 37, 41.

[The references are to sections, pages, and lines]

SUFFICIENT.

Reference to. § 11 : p. 59 : l. 6.

SUITS.

Labor corporations may appear by designated representatives before Board of Arbitration or in any suits or proceedings, etc., in Federal Courts. § 8 : p. 58 : l. 4.

SUM.

Reference to. § 11 : p. 59 : l. 6.

SUSTAINED.

If exceptions to award sustained, judgment shall be entered setting aside award. § 4 : p. 56 : l. 12.

T

TEN DAYS.

Submission to stipulate that Board of Arbitration shall commence hearings within ten days from appointment of third arbitrator. § 3 : p. 54 : l. 32.

Judgment shall be entered at expiration of ten days from filing award unless exception is taken. § 4 : p. 55 : l. 37.

If exception is taken, judgment to be entered at expiration of ten days from decision of Circuit Court upon exceptions, unless during said ten days parties shall appeal to Circuit Court of Appeals. § 4 : p. 55 : l. 44. § 4 : p. 56 : l. 2.

TEN DOLLARS.

Each member of Board to receive compensation of \$10 per day. § 11 : p. 59 : l. 4.

TEN THOUSAND DOLLARS.

Expenses of conciliation or arbitration not to exceed, in any one year, \$10,000. § 11 : p. 59 : l. 9.

TERM.

Definition of term "railroad." § 1 : p. 53 : l. 3. See "Railroad."

Definition of term "transportation." § 1 : p. 53 : l. 7. See "Transportation."

Definition of term "employees." § 1 : p. 53 : l. 10. See "Employees."

TERMS.

Employees of Federal receivers to be heard in court on all questions affecting terms, etc., of employment. § 9 : p. 58 : l. 10.

TERRITORIAL TRANSPORTATION.

Reference to. § 12 : p. 59 : l. 20.

[The references are to sections, pages, and lines]

TERRITORY.

Reference to. § 1 : p. 52 : l. 38, 39.

TESTIFY.

Arbitrators may invoke aid of United States Courts to compel witnesses to testify, etc. § 5 : p. 56 : l. 26.

TESTIMONY.

Award, papers, and proceedings including testimony certified, etc., to be filed in Clerk's office of Circuit Court. § 3 : p. 54 : l. 41.

Arbitrators to have power to require testimony of witnesses. § 5 : p. 56 : l. 21.

THERETO.

References to. § 3 : p. 54 : l. 41. § 4 : p. 55 : l. 38.

THIRD.

The third commissioner of arbitration to be designated by other two. § 3 : p. 54 : l. 18.

The third arbitrator to be named by the Commissioners in case the two arbitrators fail to choose third within five days, etc. § 3 : p. 54 : l. 20.

Board shall commence hearings within ten days from appointment of third arbitrator. § 3 : p. 54 : l. 33.

Board shall find and file award within thirty days from date of appointment of third arbitrator. § 3 : p. 54 : l. 35.

Reference to. § 3 : p. 55 : l. 4.

THIRTY.

Board shall find and file award within thirty days from appointment of third arbitrator. § 3 : p. 54 : l. 34.

Submission shall stipulate that thirty days' notice required of termination of service by employer or employee after award, for three months following, etc. § 3 : p. 55 : l. 15, 19.

Thirty days' written notice to employer of intent to quit without just cause during three months after award. § 7 : p. 57 : l. 25.

Thirty days' notice of intent to discharge, within three months after award, to be given by employer, except for the causes aforesaid. § 7 : p. 57 : l. 21.

THOUGH.

References to. § 1 : p. 53 : l. 1. § 8 : p. 57 : l. 42. § 9 : p. 58 : l. 11.

THOUSAND.

References to. § 10 : p. 59 : l. 2. § 11 : p. 59 : l. 9.

THREATEN.

Unlawful for employer to threaten employee with loss of employment because of membership in labor organization, etc. § 10 : p. 58 : l. 26.

[The references are to sections, pages, and lines]

THREATENING.

Reference to. § 2 : p. 53 : l. 29.

THREATS.

Forfeiture of membership of national trades unions, etc., for seeking to prevent others from working through violence, threats, etc. § 8 : p. 57 : l. 43.

THREE.

For three months after award unlawful to discharge employees or to quit service of employer except on notice, etc. § 7 : p. 57 : l. 19, 23.

Controversies may be submitted to arbitration of a board of three persons, etc. § 3 : p. 53 : l. 45.

Submission shall stipulate that employees dissatisfied with award shall not, by reason of above, quit service before expiration of three months without notice, etc. § 3 : p. 55 : l. 13.

Submission shall stipulate that employer dissatisfied as above shall not dismiss employee for three months without notice, etc. § 3 : p. 55 : l. 18.

TIME.

Submission shall specify time of meeting, etc. § 3 : p. 54 : l. 26.

Chairman of Commission shall fix time for meeting of said Board, etc. § 6 : p. 57 : l. 1.

Reference to. § 11 : p. 59 : l. 5.

TRAIN.

Reference to. § 1 : p. 53 : l. 11, 12.

Act shall apply to employees engaged in railroad train service. § 1 : p. 53 : l. 17.

TRANSMITTED.

Reference to. § 4 : p. 56 : l. 4.

Transcript of agreement of arbitration to be transmitted to chairman of Commission. § 6 : p. 56 : l. 36.

Agreement of arbitration executed individually instead of by labor organization, etc., shall be transmitted to chairman of the Commission. § 6 : p. 56 : l. 43.

TRANSPORTATION.

Act to apply to common carriers, etc., engaged in transportation of passengers or property, etc. § 1 : p. 52 : l. 35.

Definition of term shall include all instrumentalities of shipment or carriage. § 1 : p. 53 : l. 8.

Reference to. § 12 : p. 59 : l. 20.

TRAVELLING.

Reference to. § 11 : p. 59 : l. 5, 7.

[The references are to sections, pages, and lines]

TREASURY.

Expenses of conciliation, arbitration, etc., to be audited by proper accounting officers, officers of treasury. § 11 : p. 59 : l. 12.

Reference to. § 11 : p. 59 : l. 15.

TWENTY.

Notice by receiver to employees of court hearing as to reduction in wages to be not less than twenty days before hearings. § 9 : p. 58 : l. 16.

U**UNDER.**

References to. § 3 : p. 54 : l. 23. § 5 : p. 56 : l. 24, 28. § 6 : p. 56 : l. 32. § 7 : p. 57 : l. 12, 19. § 8 : p. 57 : l. 34.

UNDERSTANDING.

Reference to. § 4 : p. 56 : l. 5.

UNINCORPORATED.

Reference to. § 9 : p. 58 : l. 12.

UNITE.

Pending arbitration, unlawful for employees to unite in strikes, etc. § 7 : p. 57 : l. 17.

UNITED STATES.

References to. § 1 : p. 52 : l. 35, 40, 41. § 1 : p. 53 : l. 1, 2. § 3 : p. 54 : l. 44. § 4 : p. 55 : l. 34. § 6 : p. 56 : l. 34. § 10 : p. 58 : l. 44.

UNITED STATES COURTS.

References to. § 3 : p. 54 : l. 44. § 4 : p. 55 : l. 34. § 5 : p. 56 : l. 25. § 6 : p. 56 : l. 34. § 10 : p. 58 : l. 44.

UNITED STATES REVISED STATUTES.

Reference to. § 1 : p. 52 : l. 34.

UNITED STATES STATUTES.

Reference to. Chapter 567 of the year 1885 and 1886. § 8 : p. 57 : l. 35.

UNJUSTLY.

Unlawful for employer to unjustly discriminate against employee because of membership in labor union, etc. § 10 : p. 58 : l. 27.

UNLESS.

Reference to. § 4 : p. 56 : l. 2.

UNSUCCESSFUL.

Reference to. § 2 : p. 53 : l. 37.

UPON.

Reference to. § 9 : p. 58 : l. 10, 15, 17, 18.

[The references are to sections, pages, and lines]

USE.

Term "railroad" shall include all the roads in use, etc., whether owned or operated, etc. § 1 : p. 53 : l. 5.

Mediators shall use best efforts, etc. § 2 : p. 53 : l. 35.

USED.

Definition of terms used in Act. § 1 : p. 53 : l. 3, 4, 10. See "Railroad;" "Transportation;" "Employer."

V

VALID.

Majority of arbitrators competent to make valid, etc., award. § 3 : p. 54 : l. 23.

VERBAL.

Reference to. § 10 : p. 58 : l. 24.

VESSELS.

Masters of vessels and seamen excepted from Act. § 1 : p. 52 : l. 33.

VIOLATION.

Any violation of Section 7 as to restrictions on parties during pendency of arbitration and after award shall subject offending party to liability for damages. § 7 : p. 57 : l. 28.

Labor corporations, etc., shall not be liable for acts of members or others in violation of law. § 8 : p. 58 : l. 2.

VIOLENCE.

Forfeiture of membership of national trades unions for participation in force or violence, etc., during strikes, etc., or by seeking to prevent others from working, through violence, threats, etc. § 8 : p. 57 : l. 40, 43.

VOTE.

Where majority of employees not members of any labor organization they may by majority vote select a committee, etc., to select arbitrator. § 3 : p. 54 : l. 15.

W

WAGES.

Controversies concerning wages to be mediated, arbitrated, etc. § 2 : p. 53 : l. 26.

No reduction of wages by receivers without authority of Court or notice to employees. § 9 : p. 58 : l. 13.

[The references are to sections, pages, and lines]

WATER.

Act applies to transportation, etc., partly by railroad and partly by water, etc. § 1 : p. 52 : l. 37.

WHENEVER.

References to. § 2 : p. 53 : l. 26. § 3 : p. 53 : l. 40. § 7 : p. 57 : l. 32. § 9 : p. 58 : l. 7.

WHEREBY.

Reference to. § 10 : p. 58 : l. 32.

WHEREIN.

Reference to. § 3 : p. 54 : l. 45.

WHOLLY.

Reference to. § 1 : p. 52 : l. 36.

WILL.

No injunction, etc., to be issued to compel laborer to perform contract for personal labor or service against his will. § 3 : p. 55 : l. 9.

WITHIN.

References to. § 3 : p. 54 : l. 32, 34. § 4 : p. 55 : l. 37. § 6 : p. 57 : l. 2.

WITHOUT.

References to. § 3 : p. 54 : l. 39. § 3 : p. 55 : l. 14, 19. § 7 : p. 57 : l. 21, 24. § 9 : p. 58 : l. 14.

WITNESSES.

Arbitrators to have power to require attendance and testimony of witnesses, etc. § 3 : p. 56 : l. 21.

Arbitrators may invoke aid of United States Courts to compel witnesses to attend and testify, etc. § 5 : p. 56 : l. 26.

WORKING.

Forfeiture of membership of national trades unions because of seeking to prevent others from working, through violence, threats, or intimidations. § 8 : p. 57 : l. 42.

WRITING.

The submission shall be in writing, etc. § 3 : p. 54 : l. 24.

References to. § 3 : p. 55 : l. 15, 20, 32. § 6 : p. 56 : l. 45.

WRITTEN.

References to. § 7 : p. 57 : l. 25. § 10 : p. 58 : l. 24.

Y**YEAR.**

Award shall continue in force as between parties thereto, etc., for period of one year. § 3 : p. 55 : l. 22.

[The references are to sections, pages, and lines]

YEAR (Continued).

No new arbitration, etc., until expiration of said one year, etc.

§ 3 : p. 55 : l. 26.

Expenses of conciliation or arbitration limited to \$10,000 in any one year. § 11 : p. 59 : l. 10.

YEARS.

Appropriation for fiscal years, June 30, 1898, and June 30, 1899.

§ 11 : p. 59 : l. 12.

INDEX-DIGEST

ACT OF JUNE 11, 1906, RELATING TO LIABILITY OF COMMON CARRIERS IN COMMERCE BETWEEN THE STATES, FOREIGN NATIONS, ETC., TO THEIR EMPLOYEES.

FOR DIGESTS OF THE OTHER ACTS, SEE TABLE OF CONTENTS.

A

[The references are to sections, pages, and lines]

ACCEPTANCE.

Of insurance, relief benefit, or indemnity shall not constitute bar or defense to action brought, etc. § 3 : p. 60 : l. 26.

ACCRUED.

Action must be maintained within one year from time cause of action accrued. § 3 : p. 60 : l. 35.

ACT.

Nothing in, shall limit duty of common carriers by railroads or impair rights of employees under Safety Appliance Acts of March 2, 1893, as amended April 1, 1896, and March 2, 1903. § 5 : p. 60 : l. 36.

ACTION.

Acceptance of insurance, relief benefit, etc., no bar or defense to action brought, etc. § 3 : p. 60 : l. 28, 30.

Must be commenced within one year from time cause of action accrued. § 4 : p. 60 : l. 34, 35.

ACTIONS.

In all actions hereafter brought, etc., contributory negligence shall not bar a recovery where slight and that of employer gross in comparison, but damages shall be diminished in proportion to negligence of employee. § 2 : p. 60 : l. 15.

AGENTS.

Common carrier engaged in interstate commerce, etc., liable to employees for all damages from negligence of its officers, agents, or employees, etc. § 1 : p. 60 : l. 12.

AMOUNT.

Damages shall be diminished by jury in proportion to amount of negligence attributable to employee. § 2 : p. 60 : l. 21.

APPLIANCES.

Common carrier in Interstate Commerce liable for damages to its employees, etc., by reason of defect or inefficiency due to its negligence in its cars, engines, appliances, etc. § 1 : p. 60 : l. 13.

ATTRIBUTABLE.

Negligence attributable to employee shall diminish damages, etc. § 2 : p. 60 : l. 21.

B

BAR.

Contributory negligence where slight in comparison, etc., shall not bar recovery. § 2 : p. 60 : l. 18.

Acceptance of insurance, relief benefit, or indemnity, etc., shall not constitute any bar to action, etc. § 3 : p. 60 : l. 27.

BENEFIT.

In case of death of employee, carrier, etc., shall be liable to his personal representative for the benefit of widow and children, or if none, for parents, or if none, for next of kin dependent on him. § 1 : p. 60 : l. 9.

No contract, relief benefit, etc., entered into by or on behalf of employee shall constitute bar or defense to action. § 3 : p. 60 : l. 24.

Acceptance of such relief benefit, etc., no bar or defense to action. § 3 : p. 60 : l. 26.

Defendant may set off any sum contributed toward such relief benefit, etc., that may have been paid to injured employee, or in case of his death to his personal representative. § 3 : p. 60 : l. 31.

C

CARS.

Carrier, etc., liable for damages for injury, death, etc., by reason of any defect or inefficiency due to its negligence in its cars, etc. § 1 : p. 60 : l. 13.

CAUSE OF ACTION.

Limitation for suit to one year from time cause of action accrued. § 3 : p. 60 : l. 35.

CHILDREN.

Action may be brought by personal representative for benefit of widow and children. § 1 : p. 60 : l. 9.

COMMENCED.

Action must be commenced within one year from time cause of action accrued. § 3 : p. 60 : l. 35.

COMMERCE.

Every common carrier engaged in trade or commerce, etc., liable. § 1 : p. 60 : l. 3.

COMMON CARRIER.

References to. § 1 : p. 60 : l. 2. § 2 : p. 60 : l. 15. § 3 : p. 60 : l. 30.

[The references are to sections, pages, and lines]

COMMON CARRIERS BY RAILROADS.

Reference to. § 5 : p. 60 : l. 37.

COMPARISON.

Contributory negligence shall not bar recovery where slight, and that of employer gross in comparison. § 2 : p. 60 : l. 20.

CONSTITUTE.

Contract of or acceptance of insurance, relief benefit, or indemnity, etc., shall not constitute bar or defense to action. § 3 : p. 60 : l. 27.

CONSTRUCTION.

Of act. Shall not be held to limit duty of common carriers by railroads or impair the rights of their employees under the Safety Appliance Acts. § 5 : p. 60 : l. 36.

CONTRACT.

Contract of employment, insurance, relief benefit, or indemnity for injury or death, etc., or acceptance of any such insurance, relief benefit, or indemnity, shall not constitute bar or defense to action. § 3 : p. 60 : l. 24.

CONTRIBUTED.

Defendant common carrier may set off any sum it has contributed toward insurance, relief benefit, or indemnity that may have been paid to injured employee, or in case of his death to his personal representative. § 3 : p. 60 : l. 31.

CONTRIBUTORY NEGLIGENCE.

Where slight, and that of employer gross in comparison, not a bar to recovery, but damages shall be diminished by jury in proportion to amount of negligence attributable to employee. § 2 : p. 60 : l. 18, 19.

All questions of negligence and contributory negligence shall be for the jury. § 2 : p. 60 : l. 22.

D

DAMAGES.

Common carrier engaged in interstate trade or commerce, etc., liable for all damages resulting from negligence of officers, agents, or employees by reason of any defect or insufficiency due to its negligence in its cars, engines, appliances, machinery, track, roadbed, ways, or works. § 1 : p. 60 : l. 11.

In actions for damages, etc., contributory negligence, if slight, etc., no bar. § 2 : p. 60 : l. 16.

Shall be diminished by jury in proportion to amount of negligence attributable to employee. § 2 : p. 60 : l. 20. See also § 2 : p. 60 : l. 28.

[The references are to sections, pages, and lines]

DEATH.

In case of death of employee personal representative may sue, etc. § 1 : p. 60 : l. 8.

In actions for injuries resulting in death, etc., contributory negligence no bar but damages may be diminished. § 2 : p. 60 : l. 17.

Neither contracts of employment, insurance, etc., etc., or indemnity for death, etc.; etc., nor acceptance of same shall constitute bar or defense to action. § 3 : p. 60 : l. 25.

Further reference. § 3 : p. 60 : l. 29, 33.

DEFECT.

Common carrier, etc., liable for damages, etc., because of defect, etc., in cars, engines, etc. § 1 : p. 60 : l. 13.

DEFENDANT.

Reference to. § 3 : p. 60 : l. 30.

DEFENSE.

Contract of employment, etc., acceptance of insurance, etc., no defense to action. § 3 : p. 60 : l. 28.

DEPENDENT.

Personal representative of employee may sue for the next of kin dependent on the deceased employee, etc. § 1 : p. 60 : l. 11.

DIMINISHED.

Damages shall be diminished in proportion to amount of negligence attributable to employee. § 2 : p. 60 : l. 20.

DISTRICT OF COLUMBIA.

Reference to. § 1 : p. 60 : l. 3, 6, 7.

DUTY.

The duty of common carriers by railroads under Safety Appliance Acts not limited by this Act. § 5 : p. 60 : l. 36.

E**EMPLOYEE.**

May recover, etc., notwithstanding contributory negligence, but damages shall be diminished in proportion to amount of negligence attributable to such employee. § 2 : p. 60 : l. 16, 17, 22.

Further reference to. § 3 : p. 60 : l. 26, 29, 32.

EMPLOYEES.

References to. § 1 : p. 60 : l. 8, 12. § 5 : p. 60 : l. 37.

EMPLOYER.

Where negligence of employer gross in comparison to that of employee, contributory negligence no defense, etc. § 2 : p. 60 : l. 20.

[The references are to sections, pages, and lines]

EMPLOYMENT.

Contract of employment no bar or defense to action, etc. § 3 :
p. 60 : l. 24.

ENGAGED.

Common carrier engaged in trade or commerce, etc. § 1 : p. 60 :
l. 3.

ENGINES.

Common carrier, etc., liable by reason of any defect or insufficiency
due to its negligence in its engines, etc. § 1 : p. 60 : l. 13.

ENTERED INTO.

Contract of employment, etc., entered into by employee shall not
constitute bar or defense to action. § 3 : p. 60 : l. 25.

ENTITLED.

Acceptance of insurance, etc., by person entitled thereto shall not
constitute bar or defense to action, etc. § 3 : p. 60 : l. 27.

F

FOREIGN NATIONS.

Reference to. § 1 : p. 60 : l. 6, 7.

G

GROSS.

Where negligence of employer gross in comparison, contributory
negligence of employee when slight no bar to recovery. § 2 :
p. 60 : l. 20.

GUILTY.

The fact that employee guilty of contributory negligence where
slight and that of employer gross in comparison, no bar to
recovery, etc. § 2 : p. 60 : l. 18.

I

IMPAIR.

Nothing in Act shall impair rights of employees under Safety
Appliance Acts. § 5 : p. 60 : l. 37.

INDEMNITY.

Acceptance of indemnity no bar or defense to action, etc. § 3 :
p. 60 : l. 25, 27.

Defendant common carrier may set off any sum it has contributed
toward such indemnity, etc. § 3 : p. 60 : l. 32.

[The references are to sections, pages, and lines]

INJURED.

Reference to. § 3 : p. 60 : l. 32.

INJURIES.

References to. § 2 : p. 60 : l. 16, 17. § 3 : p. 60 : l. 28.

INJURY.

Contract of indemnity for injury, etc., no bar or defense to action.
§ 3 : p. 60 : l. 25.

INSURANCE.

No contract of insurance nor acceptance of insurance shall constitute bar or defense to action. § 3 : p. 60 : l. 24, 26.

Defendant common carrier may set off any sum contributed toward any such insurance, etc. § 3 : p. 60 : l. 31.

J**JURY.**

Damages shall be diminished by jury in proportion to amount of negligence attributable to employee. § 2 : p. 60 : l. 21.

All questions of negligence and contributory negligence shall be for the jury. § 2 : p. 60 : l. 23.

K**KIN, NEXT OF.**

Personal representative may bring action for benefit of next of kin dependent upon employee where no widow, children, nor parents.
§ 1 : p. 60 : l. 10.

L**LIABLE.**

Common carrier, etc., liable to its employees for damages, etc. § 1 : p. 60 : l. 8.

LIMIT.

Nothing in Act shall limit duty of common carriers by railroads under Safety Appliance Act. § 5 : p. 60 : l. 36.

LIMITATION OF ACTION.

Action must be commenced within one year from time cause of action accrued. § 3 : p. 60 : l. 35.

M

MACHINERY.

Common carrier, etc., to be liable for damages by reason of any defect or insufficiency due to its negligence in its machinery, etc. § 1 : p. 60 : l. 13.

MAINTAINED.

No action shall be maintained, etc., unless commenced within one year from time cause of action accrued. § 3 : p. 60 : l. 34.

N

NATIONS, FOREIGN.

Reference to. § 1 : p. 60 : l. 6, 7.

NEGLIGENCE.

Common carrier liable, etc., for negligence of officers, etc., or by reason of defect or insufficiency due to its negligence in cars, engines, etc. § 1 : p. 60 : l. 11, 13.

Damages to be diminished by jury in proportion to amount of negligence attributable to employee. § 2 : p. 60 : l. 22.

All questions of negligence and contributory negligence shall be for the jury. § 2 : p. 60 : l. 22.

NEGLIGENCE, CONTRIBUTORY.

Shall not bar recovery where slight, etc. § 2 : p. 60 : l. 18.

All questions of negligence and contributory negligence shall be for jury. § 2 : p. 60 : l. 22.

NOTHING.

Nothing in Act shall limit duty of common carriers by railroads or impair rights of employees under Safety Appliance Acts. § 5 : p. 60 : l. 36.

O

OFF.

Defendant common carrier may set off any sum contributed toward insurance, etc., and paid to employee, etc. § 3 : p. 60 : l. 30.

OFFICERS.

Common carrier, etc., liable for damages resulting from negligence of any of its officers, etc. § 1 : p. 60 : l. 12.

P

PAID.

Common carrier may set off amount of insurance, relief benefit, etc., paid by it to injured employee, etc. § 3 : p. 60 : l. 32.

PARENTS.

Personal representative may bring action for parents of deceased employee, etc., where no widow nor children. § 1 : p. 60 : l. 11.

PERSON.

Reference to. § 3 : p. 60 : l. 27.

PERSONAL INJURIES.

Damages for, etc. § 2 : p. 60 : l. 16. § 3 : p. 60 : l. 28.

PERSONAL REPRESENTATIVE.

In case of death of employee, personal representative may bring action, etc. § 1 : p. 60 : l. 8.

Amount contributed by carrier toward insurance, relief benefit, etc. paid to personal representative of injured employee may be set off. § 3 : p. 60 : l. 33.

PROPORTION.

Damages to be diminished by jury, in proportion to amount of employee's negligence, etc. § 2 : p. 60 : l. 21.

PROVIDED.

Allowing defendant carrier to set off contributions and payments to injured employee, etc., by way of insurance, relief benefit, etc. § 3 : p. 60 : l. 29.

Q

QUESTIONS.

All questions of negligence and contributory negligence shall be for jury. § 2 : p. 60 : l. 21.

R

RAILROADS.

Reference to. § 5 : p. 60 : l. 37.

RECOVER DAMAGES.

References to. § 2 : p. 60 : l. 16. § 3 : p. 60 : l. 28.

RECOVERY.

Reference to. § 2 : p. 60 : l. 19.

REFERENCE TO OTHER ACTS, ETC.

To Safety Appliance Act. § 5 : p. 60 : l. 38.

[The references are to sections, pages, and lines]

RELIEF BENEFIT.

Contract of or acceptance of shall not constitute bar or defense to action, etc. § 3 : p. 60 : l. 24, 26.

Defendant may set off relief benefit, etc., paid to injured employee, etc. § 3 : p. 60 : l. 31.

REPRESENTATIVE, PERSONAL.

References to. § 1 : p. 60 : l. 9. § 3 : p. 60 : l. 33.

RESULT.

Action given for damages which may result from negligence of officers, etc., of carrier, etc. § 1 : p. 60 : l. 11.

RIGHTS.

Rights of employees under Safety Appliance Acts not impaired by this Act. § 5 : p. 60 : l. 37.

ROADBED.

Carrier, etc., liable because of defect or insufficiency due to its negligence in its roadbed, etc. § 1 : p. 60 : l. 13.

S**SAFETY APPLIANCE ACTS.**

Reference to. § 5 : p. 60 : l. 38.

SET OFF.

Defendant common carrier may set off any sum contributed and paid to injured employee toward insurance, relief benefit, or indemnity, etc. § 3 : p. 60 : l. 30.

SLIGHT.

Contributory negligence where slight shall not bar recovery, etc. § 2 : p. 60 : l. 19.

STATE.

Reference to. § 1 : p. 60 : l. 6, 7.

STATES.

Reference to. § 1 : p. 60 : l. 4, 6, 7.

SUM.

Defendant carrier may set off sum contributed toward insurance fund, etc., that may have been paid to injured employee, etc. § 3 : p. 60 : l. 31.

T**TERRITORY.**

Reference to. § 1 : p. 60 : l. 4, 5.

TIME.

Action must be brought within one year from time the cause of action accrued. § 4 : p. 60 : l. 35.

[The references are to sections, pages, and lines]

TRACK.

Common carrier, etc., liable for damages for defect or insufficiency due to its negligence in its track, etc. § 1 : p. 60 : l. 13.

TRADE.

Common carrier engaged in trade or commerce, etc. § 1 : p. 60 : l. 3.

TRIAL.

Upon the trial of such action defendant may set off sums contributed, etc., for insurance relief benefit, etc. § 3 : p. 60 : l. 29.

W**WAYS.**

Common carrier, etc., liable for damages by reason of any defect or insufficiency due to its negligence in its ways, etc. § 1 : p. 60 : l. 14.

WIDOW.

Personal representative of dead employee may sue for benefit of his widow and children, etc. § 1 : p. 66 : l. 9.

WORKS.

Common carrier, etc., liable for damages by reason of any defect or insufficiency due to its negligence in its works, etc. § 1 : p. 60 : l. 13.

Y**YEAR.**

Action must be commenced within one year from time cause of action accrued. § 4 : p. 60 : l. 35.

INDEX-DIGEST

AN ACT TO PROTECT TRADE AND COMMERCE AGAINST UNLAWFUL RESTRAINTS
AND MONOPOLIES. APPROVED JULY 2, 1890.

FOR DIGESTS OF THE OTHER ACTS, SEE TABLE OF CONTENTS.

A

[The references are to sections, pages, and lines]

ACT.

References to. § 4 : p. 62 : l. 1. § 6 : p. 62 : l. 25. § 7 : p. 62 : l. 34.

Reference to Section 4 of. § 5 : p. 62 : l. 15.

The word " person " or " persons " wherever used in this Act shall be deemed to include corporations and associations, etc. § 8 : p. 62 : l. 40.

AMONG.

Contracts, combinations, etc., in restraint of trade or commerce among the several States illegal. § 1 : p. 61 : l. 3.

Persons engaged in monopolies in any part of the trade or commerce among the several States guilty of misdemeanor. § 2 : p. 61 : l. 14.

AMOUNT.

Person injured, etc., may recover threefold damages, including attorney's fee, without respect to the amount in controversy. § 6 : p. 62 : l. 36.

ANOTHER.

Contracts, etc., in restraint of trade between one Territory and another illegal. § 3 : p. 61 : l. 24.

ANY.

References to. § 1 : p. 61 : l. 5. § 2 : p. 61 : l. 12. § 3 : p. 61 : l. 22, 25, 27, 29. § 6 : p. 62 : l. 22, 23. § 8 : p. 62 : l. 42, 43. § 7 : p. 62 : l. 32, 34.

Any person injured, etc., may sue for threefold damages and attorney's fee. § 7 : p. 62 : l. 31.

ANYTHING.

Person injured, etc., by anything forbidden by Act may sue for threefold damages, etc. § 7 : p. 62 : l. 33.

APPEAL.

Reference to. § 5 : p. 62 : l. 14.

ASSOCIATIONS.

Word " person " or " persons " to include corporations and associations under laws of United States, any Territory, State, or foreign country. § 8 : p. 62 : l. 41.

[The references are to sections, pages, and lines]

ATTEMPT.

Every person who shall attempt to monopolize or combine, etc., to monopolize any part of trade or commerce, etc., guilty of misdemeanor. Penalty. § 2 : p. 61 : l. 11.

ATTORNEY'S FEE.

Person injured by anything forbidden or declared unlawful by Act may sue for threefold damages, including a reasonable attorney's fee. § 7 : p. 62 : l. 38.

ATTORNEY-GENERAL.

Suits brought to restrain, etc., violation of Act under direction of Attorney-General. § 4 : p. 62 : l. 3.

ATTORNEYS, UNITED STATES DISTRICT.

Duty to institute proceedings in equity to prevent and restrain violations of Acts under direction of Attorney-General. § 4 : p. 62 : l. 2.

AUTHORIZED.

Reference to. § 8 : p. 62 : l. 41.

B**BEFORE.**

Court may make temporary restraining Order, etc.; before final decree pending a petition to prevent, etc., violations of Act. § 4 : p. 62 : l. 11.

Reference to. § 5 : p. 62 : l. 14.

BETWEEN.

Restraint of trade or commerce between States, Territories, foreign nations, etc., declared illegal. § 3 : p. 61 : l. 23, 24, 26.

BOTH.

Penalty for violations of Act : fine, imprisonment, or both, in discretion of Court. § 1 : p. 61 : l. 9.

Penalty for engaging in monopolies in violation of Act : fine, imprisonment, or both, in discretion of Court. § 2 : p. 61 : l. 18.

Person making contract in restraint of trade, or engaging in combination or conspiracy, punished by fine, imprisonment, or both, in discretion of Court. § 3 : p. 61 : l. 33.

BROUGHT.

Additional parties may be brought before the Court. § 5 : p. 62 : l. 17.

BUSINESS.

Any person injured in his business or property, etc., by reason of violations of Act may sue, etc. § 7 : p. 62 : l. 31.

C

CASE.

Reference to. § 4 : p. 62 : l. 6, 10.

CAUSE.

Court may cause additional parties to be summoned. § 5 : p. 62 : l. 18.

CIRCUIT COURT OF UNITED STATES.

Any person injured in his business or property, etc., may sue in any Circuit Court of United States in district in which defendant resides or is found, etc. § 7 : p. 62 : l. 34.

CIRCUIT COURTS OF THE UNITED STATES.

Invested with jurisdiction to prevent and restrain violations of this Act. § 4 : p. 61 : l. 35.

COMBINATION.

Every combination in the form of trust or otherwise in restraint of trade, etc., among the States or with foreign nations, illegal. Penalty. § 1 : p. 61 : l. 1, 5.

Every combination in form of trust or otherwise in restraint of trade, etc., between Territories, or between District of Columbia and Territories, or between Territories or District of Columbia and States or foreign nations, illegal. Penalty. § 3 : p. 61 : l. 20, 29.

Property owned under any combination, etc., in course of transportation, etc., subject to seizure and condemnation. § 6 : p. 62 : l. 23.

COMBINE.

Every person who shall combine, etc., with any other person or persons to monopolize any part of the trade or commerce among the several States, etc., guilty of misdemeanor. Penalty : fine not exceeding \$5,000, imprisonment not exceeding one year, or both, in discretion of Court. § 21 : p. 61 : l. 12.

COMMERCE.

References to. § 1 : p. 61 : l. 2. § 2 : p. 61 : l. 14. § 3 : p. 61 : l. 21, 23.

COMPLAINED.

Reference to. § 4 : p. 62 : l. 8.

CONDEMNATION.

Seizure and condemnation of property owned under any contract, combination, etc., and in course of transportation from one State to another, etc. § 6 : p. 62 : l. 29.

[The references are to sections, pages, and lines]

CONDEMNED.

Property as above may be seized and condemned, etc. § 6 : p. 62 : l. 27.

CONSPIRACY.

Every conspiracy in restraint of trade, etc., among the several States or with foreign nations illegal. Penalty. § 1 : p. 61 : l. 2, 6.

Every conspiracy, etc., in restraint of trade or commerce between Territories, or between District of Columbia and Territories, or between Territories or District of Columbia and States or foreign nations, illegal. Penalty. § 3 : p. 61 : l. 21, 31.

Any property owned pursuant to any conspiracy, etc., subject to seizure and condemnation. § 6 : p. 62 : l. 23.

CONSPIRE.

Every person who shall conspire with any other person or persons to monopolize any part of the trade, etc., among the several States or with foreign nations guilty of misdemeanor. Penalty. § 2 : p. 61 : l. 12.

CONTRACT.

Every contract in restraint of trade, etc., among the States or with foreign nations illegal. Penalty. § 1 : p. 61 : l. 1, 5.

Same in restraint of trade, etc., between Territories, District of Columbia, foreign nations, etc., illegal. Penalty. § 3 : p. 61 : l. 20, 29.

Property owned under any contract, etc., mentioned in Section 1 subject to seizure and condemnation, etc. § 6 : p. 62 : l. 22.

CONTRARY.

Reference to. § 6 : p. 62 : l. 30.

CONTROVERSY.

Person injured, etc., may sue, etc., for threefold damages, etc., without respect to the amount in controversy. § 7 : p. 62 : l. 36.

CONVICTION.

Penalty for person convicted making contract, etc., in restraint of trade among States or with foreign nations. § 1 : p. 61 : l. 7.

Penalty for person convicted of engaging in monopolies, etc. § 2 : p. 61 : l. 16.

Penalty for person convicted of making a contract or engaging in combination or conspiracy in restraint of trade, etc., between District of Columbia and Territories, or between Territories or District of Columbia and States or foreign nations. § 3 : p. 61 : l. 31.

CORPORATION

Reference to. § 7 : p. 62 : l. 32.

[The references are to sections, pages, and lines]

CORPORATIONS.

The word "person" or "persons" wherever used in Act shall be deemed to include corporations existing under or authorized by laws of United States, any Territory, State, or foreign country. § 8 : p. 62 : l. 40.

COSTS.

Person injured in business may sue, etc., and shall recover threefold damages and costs of suit, etc. § 7 : p. 62 : l. 38.

COUNTRY, FOREIGN.

References to. § 6 : p. 62 : l. 26. § 8 : p. 62 : l. 44.

COURSE.

Property in course of transportation among States, etc., under contract, combination, or conspiracy, etc., subject to seizure and condemnation. § 6 : p. 62 : l. 25.

COURT.

Discretion of Court as to fine, imprisonment, or both. § 1 : p. 61 : l. 10. § 2 : p. 61 : l. 19. § 3 : p. 61 : l. 34.

References to. § 4 : p. 62 : l. 9, 11. § 5 : p. 62 : l. 14, 17, 19.

D**DAMAGES.**

Person injured in business or property by any other person or corporations by reason of anything forbidden or declared to be unlawful by this Act may recover threefold damages, etc. § 7 : p. 62 : l. 37.

DECLARED

References to. § 1 : p. 61 : l. 4. § 3 : p. 61 : l. 28. § 7 : p. 62 : l. 33.

DECREE.

Court may make temporary restraining Order or prohibition before final decree in suit brought to prevent and restrain violations of Act. § 4 : p. 62 : l. 11.

DEEMED.

References to. § 1 : p. 61 : l. 6. § 2 : p. 61 : l. 15. § 3 : p. 61 : l. 30. § 4 : p. 62 : l. 13. § 8 : p. 62 : l. 40.

DEFENDANT.

Reference to. § 7 : p. 62 : l. 35.

DEFINITIONS.

Misdemeanor defined. § 2 : p. 61 : l. 15. § 3 : p. 61 : l. 30.

"Person" or persons." Above words wherever used in this Act shall be deemed to include corporations and associations existing under or authorized by the laws of the United States of any

[The references are to sections, pages, and lines]

DEFINITIONS (Continued).

Territory or of any State or of any foreign country. § 8 : p. 62 : l. 39.

(See definition of "person" in United States Revised Statutes, paragraph 1 :—

"The word 'person' may extend and be applied to partnerships and corporations and the reference to any officer shall include any person authorized by law to perform the duties of such office.")

DETERMINATION.

Court shall proceed as soon as may be to hearing a determination of the case. § 4 : p. 62 : l. 10.

DIRECTION.

Suits brought by United States District Attorneys under direction of Attorney-General. § 4 : p. 62 : l. 3.

DISCRETION.

Discretion of Court as to fine, punishment, or both. § 1 : p. 61 : l. 10. § 2 : p. 61 : l. 18. § 3 : p. 61 : l. 34.

DISTRICT.

Court may cause additional parties to be summoned whether they reside in the District in which Court is held or not. § 5 : p. 62 : l. 19.

Subpoenas to that end may be served in any district by the marshal thereof. § 5 : p. 62 : l. 20.

Person injured, etc., may sue in any Circuit Court of United States in district in which defendant resides or is found. § 7 : p. 62 : l. 35.

DISTRICT ATTORNEYS.

Duty of District Attorneys in their respective districts to institute suits to prevent and restrain violations under direction of Attorney-General. § 4 : p. 62 : l. 2.

DISTRICT OF COLUMBIA.

Reference to. § 3 : p. 61 : l. 22, 25, 27.

DISTRICTS.

Reference to. § 4 : p. 62 : l. 2. See "District."

DOLLARS.

See "Penalties."

DULY.

Reference to. § 4 : p. 62 : l. 8.

DUTY.

The duty of the District Attorney to institute proceedings in Equity to prevent and restrain violations of Act. § 4 : p. 62 : l. 1.

[The references are to sections, pages, and lines]

E

EITHER.

Reference to. § 8 : p. 62 : l. 42.

END.

Reference to. § 5 : p. 62 : l. 20.

ENDS OF JUSTICE.

Reference to. § 5 : p. 62 : l. 16.

ENGAGE.

Every person who shall engage in combination or conspiracy, etc., deemed guilty of misdemeanor. § 1 : p. 61 : l. 5. § 3 : p. 61 : l. 29.

ENJOINED.

Parties may be enjoined, etc., by petition, from violations of Act. § 4 : p. 62 : l. 7.

EQUITY.

District Attorneys to institute proceedings in Equity to prevent and restrain violations. § 4 : p. 62 : l. 4.

EVERY.

Every contract, etc., in restraint of trade, etc., illegal. § 1 : p. 61 : l. 1. § 3 : p. 61 : l. 20.

Every person who shall monopolize, etc., guilty of misdemeanor. § 2 : p. 61 : l. 11.

Every person who shall make contract in restraint of trade, etc., guilty of misdemeanor. § 1 : p. 61 : l. 4. § 3 : p. 61 : l. 28.

EXCEEDING, NOT.

References to. § 1 : p. 61 : l. 8, 9. § 2 : p. 61 : l. 16, 17. § 3 : p. 61 : l. 32, 33.

EXISTING.

Reference to. § 8 : p. 62 : l. 41.

F

FEE.

Persons injured may recover threefold damages and reasonable attorney's fee. § 7 : p. 62 : l. 38.

FINAL.

Court may make temporary restraining Order or prohibition before final decree in petitions to prevent and restrain violations. § 4 : p. 62 : l. 11.

[The references are to sections, pages, and lines]

FINE.

For violations of Act. § 1 : p. 61 : l. 8. § 2 : p. 61 : l. 16. § 3 : p. 61 : l. 32. See "Penalties."

FORBIDDEN.

Any person injured, etc., by reason of anything forbidden, etc., by Act may sue for threefold damages, etc. § 7 : p. 62 : l. 33.

FOREIGN COUNTRY.

References to. § 6 : p. 62 : l. 26. § 8 : p. 62 : l. 43.

FOREIGN NATIONS.

References to. § 1 : p. 61 : l. 3. § 2 : p. 61 : l. 14. § 3 : p. 61 : l. 26, 27.

FORFEITED.

Property in course of transportation, etc., owned under any contract, etc., shall be forfeited to United States, etc. § 6 : p. 62 : l. 26.

FORFEITURE.

Reference to. § 6 : p. 62 : l. 28.

FORM.

Every contract, combination in the form of trust or otherwise, etc., in restraint of trade, etc., illegal. § 1 : p. 61 : l. 1. § 3 : p. 61 : l. 20.

FORTH, SETTING.

Reference to. § 4 : p. 62 : l. 6.

FOUND.

Person injured, etc., may sue in district in which defendant resides or is found. § 7 : p. 62 : l. 36.

FOUR.

Reference to Section 4 of Act. § 5 : p. 52 : l. 15.

G**GUILTY.**

References to. § 1 : p. 61 : l. 6. § 2 : p. 61 : l. 15. § 3 : p. 61 : l. 30.

H**HEARING.**

Court shall proceed as soon as may be to hearing, etc., of petition to prevent and restrain violations of Act. § 4 : p. 62 : l. 10.

[The references are to sections, pages, and lines]

HELD.

Court may summon additional parties whether they reside in district in which Court is held or not. § 5 : p. 62 : l. 19.

I**ILLEGAL.**

Contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States or with foreign nations. § 1 : p. 61 : l. 4.

Contract, etc., as above, in restraint of trade or commerce, etc., between District of Columbia and Territories, or between Territories or District of Columbia and States or foreign nations. § 3 : p. 61 : l. 28.

IMPORTED.

Seizure and condemnation of property in transportation owned under contract, combination, conspiracy, etc., may be seized, etc., by like proceedings, etc., as those for forfeiture, seizure, etc., of property imported into United States contrary to law. § 6 : p. 62 : l. 29.

IMPRISONMENT.

Punishment of, for violations of Act. See "Penalties."

INCLUDE.

Word "person" or "persons" to include corporations and associations, etc. § 8 : p. 62 : l. 40.

INCLUDING.

Person injured may recover threefold damages, etc., including reasonable attorney's fee. § 7 : p. 62 : l. 38.

INJURED.

Any person injured in business or property, etc., may sue for threefold damages, etc. § 7 : p. 62 : l. 31.

INSTITUTE.

Duty of District Attorneys to institute proceedings in Equity to prevent and restrain violations. § 4 : p. 62 : l. 4.

INVESTED.

The several Circuit Courts of United States invested with jurisdiction to prevent and restrain violations of this Act. § 4 : p. 61 : l. 36.

J**JURISDICTION.**

See "Invested," above.

[The references are to sections, pages, and lines]

JUST.

Court before final decree may make temporary restraining orders, etc., as shall be deemed just in the premises. § 4 : p. 62 : l. 13.

JUSTICE.

Court may summon additional parties when ends of justice require. § 5 : p. 62 : l. 16.

L**LAW.**

Reference to. § 6 : p. 62 : l. 28, 30.

LAWS.

Reference to. § 8 : p. 62 : l. 41, 42, 43.

LIKE.

Reference to. § 6 : p. 62 : l. 28.

M**MAKE.**

References to. § 1 : p. 61 : l. 5. § 3 : p. 61 : l. 29. § 4 : p. 62 : l. 12.

MARSHAL, UNITED STATES.

Additional parties may be brought in, whether residing in district in which Court is held or not, and subpoenas to that end may be served in any district by the marshal thereof. § 5 : p. 62 : l. 20.

MENTIONED.

Reference to. § 6 : p. 22 : l. 24.

MISDEMEANOR.

Defined. § 1 : p. 61 : l. 6. § 2 : p. 61 : l. 15. § 3 : p. 61 : l. 30.

MONOPOLIZE.

A misdemeanor to monopolize or attempt to monopolize, or to combine or conspire to monopolize, any part of trade or commerce, etc., among the several States, etc. § 2 : p. 61 : l. 11, 12, 13.

N**NATIONS.**

References to foreign nations. § 1 : p. 61 : l. 3. § 2 : p. 61 : l. 14. § 3 : p. 61 : l. 26, 28.

[The references are to sections, pages, and lines]

NOT EXCEEDING.

References to. § 1 : p. 61 : l. 8, 9. § 2 : p. 61 : l. 16, 17. § 3 : p. 61 : l. 32, 33.

NOTIFIED.

Court shall proceed to hear petition for violations of Act when parties complained of shall have been duly notified. § 4 : p. 62 : l. 8.

O

ONE.

Reference to Section 1 of Act. § 6 : p. 62 : l. 24.

ORDER.

Court may issue temporary restraining Order, etc. § 4 : p. 62 : l. 12.

OTHER.

Other parties may be brought before Court. § 5 : p. 62 : l. 16.

References to. § 2 : p. 61 : l. 12. § 7 : p. 62 : l. 32.

OTHERWISE.

Every contract, combination in the form of trust or otherwise, in restraint of trade, etc., illegal. § 1 : p. 61 : l. 2. § 3 : p. 61 : l. 21.

Reference to. § 4 : p. 62 : l. 7.

OWNED.

Any property owned under any contract or by any combination or pursuant to any conspiracy (and being the subject thereof), etc., in course of transportation, etc., shall be forfeited to United States, etc. § 6 : p. 62 : l. 22.

P

PART.

Every person who shall monopolize, etc., any part of trade or commerce, etc., guilty of misdemeanor. § 2 : p. 61 : l. 13.

PARTIES.

Reference to. § 4 : p. 62 : l. 8.

Additional parties may be brought before Court. § 5 : p. 62 : l. 17.

PENALTIES.

For making contract, etc., in restraint of trade among the several States or with foreign nations, misdemeanor. Fine not exceeding \$5,000, imprisonment not exceeding one year, or both, in discretion of Court. § 1 : p. 61 : l. 8.

[The references are to sections, pages, and lines]

PENALTIES (Continued).

For monopolizing, attempting to monopolize, combining or conspiring to monopolize, trade or commerce among the several States or with foreign nations, misdemeanor. Fine not exceeding \$5,000, imprisonment not exceeding one year, or both, in discretion of Court. § 2 : p. 61 : l. 16.

For making contract, combination, etc., in restraint of trade, etc., between Territories, or between District of Columbia and Territories, or between Territories or District of Columbia and States or foreign nations, fine not exceeding \$5,000, imprisonment not exceeding one year, or both, in discretion of Court. § 3 : p. 61 : l. 31.

Property owned under contract, combination, etc., in course of transportation between States or to foreign countries forfeited to United States and subject to seizure and condemnation. § 6 : p. 62 : l. 27.

Any person or corporation injuring, by violation of Act, business or property of another liable to threefold damages and costs, and reasonable attorney's fee. § 7 : p. 62 : l. 37.

PENDING.

References to. § 4 : p. 62 : l. 10. § 5 : p. 62 : l. 16.

PERSON.

Defined in Act. § 8 : p. 62 : l. 39.

References to. § 1 : p. 61 : l. 4. § 2 : p. 61 : l. 11, 12. § 3 : p. 61 : l. 28. § 7 : p. 62 : l. 31, 32. § 8 : p. 62 : l. 39.

PERSONS.

Defined in Act. § 8 : p. 62 : l. 39.

References to. § 2 : p. 61 : l. 13. § 8 : p. 62 : l. 39.

See definition of person in Revised Statutes, paragraph 1 : —

“The word ‘person’ may extend and be applied to partnerships and corporations, and the reference to any officer shall include any person authorized by law to perform the duties of such office.”

PETITION.

Petition may be brought by District Attorneys under direction of Attorney-General to prevent and restrain violations of Act. § 4 : p. 62 : l. 6, 9, 11.

PRAYING.

Reference to. § 4 : p. 62 : l. 6.

PREMISES.

Court may make temporary restraining Order, etc., as may be deemed just in the premises. § 4 : p. 62 : l. 13.

[The references are to sections, pages, and lines]

PREVENT.

Circuit Courts of United States invested with jurisdiction to prevent and restrain violations of Act. § 4 : p. 61 : l. 36.

Duty of District Attorneys, etc., to institute proceedings in Equity to prevent and restrain violations. § 4 : p. 64 : l. 4.

PROCEED.

Reference to. § 4 : p. 62 : l. 9.

PROCEEDING.

Reference to. § 5 : p. 62 : l. 15.

PROCEEDINGS.

Reference to. § 5 : p. 62 : l. 28.

Duty of District Attorneys, etc., to institute proceedings in Equity to prevent and restrain violations. § 4 : p. 62 : l. 4.

Such proceedings may be by way of petitions. § 4 : p. 62 : l. 5.

PROHIBITED.

Violations of Act may be enjoined or prohibited. § 4 : p. 62 : l. 7.

PROHIBITION.

Court at any time before final decree may make temporary restraining Order or prohibition. § 4 : p. 62 : l. 12.

PROPERTY.

Any property owned under any contract, combination, or pursuant to any conspiracy (and being the subject thereof), forfeited to United States. § 5 : p. 62 : l. 22.

Reference to. § 5 : p. 62 : l. 29.

PROVIDED.

Reference to. § 6 : p. 62 : l. 28.

Any person injured in his business or property may bring suit for threefold damages, etc. § 7 : p. 62 : l. 32.

PUNISHED.

References to. § 1 : p. 61 : l. 7. § 2 : p. 61 : l. 16. § 3 : p. 61 : l. 31. See "Penalties."

PURSUANT.

Any property owned under any contract or by any combination or pursuant to any conspiracy, etc., in course of transportation, etc., forfeited to United States. § 6 : p. 62 : l. 23.

R**REASON.**

By reason of. Any person injured in business or property by any other person or corporation by reason of anything forbidden, etc., in this Act may sue, etc. § 7 : p. 62 : l. 32.

[The references are to sections, pages, and lines]

REASONABLE.

Person maintaining suit for injury to business or property may recover reasonable attorney's fee. § 7 : p. 62 : l. 38.

RECOVER.

Person injured, etc., may recover threefold damages, etc. § 7 : p. 62 : l. 37.

REFERENCES.

To Section 1 of Act. § 6 : p. 62 : l. 24.

To Section 4 of Act. § 5 : p. 62 : l. 15.

REQUIRE.

Court may summon additional parties where ends of justice require. § 5 : p. 62 : l. 16.

RESIDE.

Court may summon additional parties whether they reside in district in which Court is held or not. § 5 : p. 62 : l. 18.

RESIDES.

Person injured, etc., may sue in district in which defendant resides or is found. § 7 : p. 62 : l. 35.

RESPECT.

Reference to. § 7 : p. 62 : l. 36.

RESPECTIVE.

Reference to. § 4 : p. 62 : l. 3.

RESTRAIN.

United States Circuit Courts invested with jurisdiction to prevent and restrain violations of Act. § 4 : p. 61 : l. 36.

Duty of District Attorneys, etc., to institute proceedings in Equity to prevent and restrain violations. § 4 : p. 62 : l. 5.

RESTRAINING.

Court may make temporary restraining Order or prohibition. § 4 : p. 62 : l. 12.

RESTRAINT.

Contracts, etc., in restraint of trade illegal. § 1 : p. 61 : l. 2. § 3 : p. 61 : l. 21, 23.

S

SECTION.

Reference to Section 1 of this Act. § 6 : p. 62 : l. 24.

Reference to Section 4 of this Act. § 5 : p. 62 : l. 15.

SEIZED.

Property owned under any contract, combination, etc., forfeited to United States and may be seized and condemned, etc. § 6 : p. 62 : l. 27.

[The references are to sections, pages, and lines]

SEIZURE.

Reference to. § 6 : p. 62 : l. 29.

SERVED.

Subpœnas to bring in additional parties may be served in any district by marshal thereof whether the parties reside in the district or not. § 5 : p. 62 : l. 20.

SETTING FORTH.

Reference to. § 4 : p. 62 : l. 6.

SEVERAL.

References to. § 1 : p. 61 : l. 3. § 2 : p. 61 : l. 14. § 4 : p. 62 : l. 1.

SOON.

Reference to. § 4 : p. 62 : l. 9.

STATE.

References to. § 3 : p. 61 : l. 25, 27. § 6 : p. 62 : l. 26. § 8 : p. 62 : l. 43.

STATES.

References to. § 1 : p. 61 : l. 3. § 2 : p. 61 : l. 14. § 3 : p. 61 : l. 25, 27.

SUBJECT.

Property owned under any contract, etc., or pursuant to any conspiracy (being the subject thereof), forfeited to United States, etc. § 6 : p. 62 : l. 24.

SUBPŒNAS.

Marshal of district may serve additional parties with subpœnas in any district. § 5 : p. 62 : l. 19.

SUCH.

Reference to. § 3 : p. 61 : l. 24, 29.

SUE.

Any person injured in business or property, etc., may sue, etc. § 7 : p. 62 : l. 34.

SUIT.

Party bringing suit, etc., may recover against such, etc. § 7 : p. 62 : l. 38.

SUMMONED.

Court may cause additional parties to be summoned whether they reside in district in which Court is held or not. § 5 : p. 62 : l. 18.

SUSTAINED.

Person injured in business or property, etc., may recover threefold damages by him sustained, etc. § 7 : p. 62 : l. 37.

T

TEMPORARY.

Court may make temporary restraining Order, etc. § 4 : p. 62 : l. 12.

TERRITORIES.

References to. § 3 : p. 61 : l. 25. § 8 : p. 62 : l. 42.

TERRITORY.

Reference to. § 3 : p. 61 : l. 22, 24.

THOUSAND.

See "Penalties."

THREEFOLD.

Person injured in business or property, etc., may recover threefold damages, etc. § 7 : p. 62 : l. 37.

TIME.

Reference to. § 4 : p. 62 : l. 12.

TRADE.

Reference to. § 2 : p. 61 : l. 13.

Restraint of.

References to. § 1 : p. 61 : l. 2. § 3 : p. 61 : l. 21, 23.

TRANSPORTATION.

Property in course of transportation between States, etc., owned under any contract, combination, etc., forfeited to United States. § 6 : p. 62 : l. 25.

TRUST.

Combination in form of, or otherwise illegal. § 1 : p. 61 : l. 2. § 3 : p. 61 : l. 20.

U

UNDER.

References to. § 6 : p. 62 : l. 22. § 8 : p. 62 : l. 41.

UNITED STATES.

References to. § 3 : p. 61 : l. 22. § 6 : p. 62 : l. 27, 30, 34, 42.

UNITED STATES CIRCUIT COURT.

Suit may be brought in, by person injured in business or property, etc. § 7 : p. 62 : l. 34.

Circuit Court of United States invested with jurisdiction to prevent and restrain violations of Act. § 4 : p. 61 : l. 35.

[The references are to sections, pages, and lines]

UNITED STATES DISTRICT ATTORNEYS.

Duty of, to institute proceedings in Equity to prevent and restrain violations. § 4 : p. 62 : l. 2.

UNLAWFUL.

Any person injured, etc., by unlawful act may sue for threefold damages, etc. § 7 : p. 62 : l. 33.

USED.

The word "person" or "persons," wherever used in this Act, shall include corporations and associations, etc. § 8 : p. 62 : l. 40.

V

VIOLATION.

Petition may be filed praying that violation may be enjoined or otherwise prohibited. § 4 : p. 62 : l. 7.

VIOLATIONS.

United States Circuit Court invested with jurisdiction to prevent and restrain violations. § 4 : p. 62 : l. 1.

Duty of District Attorneys, etc., to institute proceedings in Equity to prevent and restrain violations. § 4 : p. 62 : l. 5.

W

WAY; BY WAY OF.

Proceedings to prevent and restrain violations may be by way of petition, etc. § 4 : p. 62 : l. 5.

WHENEVER.

Reference to. § 8 : p. 62 : l. 39.

WORD.

The word "person" or "persons" defined. § 8 : p. 62 : l. 39.

Y

YEAR.

References to. § 1 : p. 61 : l. 9. § 2 : p. 61 : l. 18. § 3 : p. 61 : l. 33. See "Penalties."

INDEX-DIGEST

THE WILSON TARIFF ACT OF AUGUST 28, 1894, SECTIONS 73 TO 77 INCLUSIVE.
(EXEMPTED FROM REPEAL BY SECTION 34 OF THE ACT OF JULY 24, 1897.)
(ONLY SECTION 73 IS DIGESTED IN FULL HERE. SECTIONS 74, 75, 76, AND 77
ARE, WITH A FEW EXCEPTIONS NOTED, IDENTICAL WITH SECTIONS 4, 5,
6, AND 7 OF THE ACT OF JULY 2, 1890. SEE DIGEST, PAGE 453.)

FOR DIGESTS OF THE OTHER ACTS, SEE TABLE OF CONTENTS.

A

[The references are to sections, pages, and lines]

ACT.

Every person engaged in importation of goods, etc., from any country in violation of this section of Act guilty of misdemeanor. Penalty. § 73 : p. 63 : l. 13.

AGREEMENT.

Every agreement, etc., made by or between two or more persons or corporations either of whom engaged in importing, etc., intended to operate in restraint of lawful trade or free competition in lawful trade or commerce, or to increase market price in any part of United States of any article, etc., imported or intended to be imported, or of any manufacture into which such imported article enters or is intended to enter, declared to be contrary to public policy, illegal and void. § 73 : p. 63 : l. 1, 6.

ANOTHER.

Reference to. § 73 : p. 63 : l. 14.

ANY.

Reference to. § 73 : p. 63 : l. 10, 12.

ARTICLE.

Reference to. § 73 : p. 63 : l. 4, 9, 10.

ARTICLES.

Reference to. § 73 : p. 63 : l. 9.

B

BETWEEN.

Every combination, etc., between two or more persons engaged in importing, etc., intended to operate in restraint of lawful trade, etc., contrary to public policy and illegal. § 73 : p. 63 : l. 3.

C

COMBINATION.

Every combination, etc., in restraint of import trade illegal and void. § 73 : p. 63 : l. 1, 5.

COMBINE.

Every person who shall combine with another to violate this section of Act guilty of misdemeanor. Penalty. § 73 : p. 63 : l. 14.

[The references are to sections, pages, and lines]

COMMERCE.

Trusts, etc., in restraint of free competition in lawful trade or commerce, etc., illegal and void. § 73 : p. 63 : l. 7.

COMMODITY.

Penalty for violation of this section of Act by every person engaged in importation of goods or any commodity from a foreign country. § 73 : p. 63 : l. 12.

COMPETITION.

Trusts, etc., in restraint of free competition, etc., of any articles imported, etc., illegal and void. § 73 : p. 63 : l. 7.

CONSPIRACY.

Every conspiracy, etc., in restraint of import trade illegal and void. Penalty. § 73 : p. 63 : l. 1, 6.

CONSPIRE.

Penalty for every person who shall conspire to violate this section of Act. § 73 : p. 63 : l. 14.

CONTRACT.

Contract, etc., in restraint of import trade, void. § 73 : p. 63 : l. 2, 6.

CONTRARY.

Trusts, etc., in import trade declared to be contrary to public policy, illegal and void. § 73 : p. 63 : l. 2.

CONVICTION.

Penalty for conviction of violation of this section of Act. § 73 : p. 63 : l. 15. See "Penalties."

CORPORATION.

Trusts, agreements, etc., between two or more persons or corporations, etc., engaged in importing, etc., illegal and void. § 73 : p. 63 : l. 4.

COUNTRY, FOREIGN.

Reference to. § 73 : p. 63 : l. 5, 13.

COURT.

Reference to. § 73 : p. 63 : l. 15, 18.

D**DECLARED.**

Trusts, etc., in restraint of import trade declared illegal and void. § 73 : p. 63 : l. 2.

DISCRETION.

Discretion of Court as to term of imprisonment. § 73 : p. 63 : l. 18. See "Penalties."

[The references are to sections, pages, and lines]

DISTRICT OF COLUMBIA.

Reference to. § 76 : p. 64 : l. 12.

DOLLARS.

Reference to. § 73 : p. 63 : l. 17. See "Penalties."

E

ENGAGED.

Reference to. § 73 : p. 63 : l. 4, 12.

ENTER.

Reference to. § 73 : p. 63 : l. 11.

ENTERS.

Reference to. § 73 : p. 63 : l. 11.

EVERY.

Every trust, etc., in restraint of import trade declared illegal and void. § 73 : p. 63 : l. 1, 11.

EXCEEDING, NOR.

Reference to. § 73 : p. 63 : l. 19.

EXCEEDING, NOT.

Reference to. § 73 : p. 63 : l. 17.

F

FINED.

Reference to. § 73 : p. 63 : l. 16. See "Penalties."

FIVE.

Reference to. § 73 : p. 63 : l. 17. See "Penalties."

FOREIGN COUNTRY.

Reference to. § 73 : p. 63 : l. 5, 13.

FREE.

Trusts, etc., by importers, etc., in restraint of free competition, etc., illegal and void. § 73 : p. 63 : l. 7.

FURTHER.

Reference to. § 73 : p. 63 : l. 17.

G

GOODS.

Reference to. § 73 : p. 63 : l. 12.

GUILTY.

Penalty for every person found guilty of misdemeanor as herein defined. § 73 : p. 63 : l. 14.

H

HEREAFTER.

Reference to. § 73 : p. 63 : l. 11.

HUNDRED, ONE.

Reference to. § 73 : p. 63 : l. 16. See "Penalties."

I

ILLEGAL.

Every combination, conspiracy, trust, agreement, or contract in restraint of import trade, etc., illegal and void. § 73 : p. 63 : l. 2.

IMPORTATION.

Penalty for person engaged in importation, etc., for combining or conspiring to violate this section. § 73 : p. 63 : l. 12. See "Penalties."

IMPORTED.

Reference to. § 73 : p. 63 : l. 9, 10.

IMPORTING.

Reference to. § 73 : p. 63 : l. 4.

IMPRISONMENT.

Reference to. § 73 : p. 63 : l. 18. See "Penalties."

INCREASE.

Trusts, etc., in restraint of import trade intended to increase market price of article imported, etc., illegal and void. § 73 : p. 63 : l. 8.

L

LAWFUL.

Trusts, etc., to prevent free competition in lawful trade, etc., in articles imported, illegal and void. § 73 : p. 63 : l. 8.

LESS ; NOT LESS THAN.

Reference to. § 73 : p. 63 : l. 16, 19. See "Penalties."

M

MADE.

Reference to. § 73 : p. 63 : l. 3.

MANUFACTURE.

Trusts, etc., intended to increase market price of any manufacture into which imported article enters, etc., illegal and void. § 73 : p. 63 : l. 10.

[The references are to sections, pages, and lines]

MARKET.

Trusts, etc., intended to increase market price of articles imported, etc., illegal and void. § 73 : p. 63 : l. 8.

MISDEMEANOR.

Violation of this section of Act a misdemeanor. Penalty. § 73 : p. 63 : l. 15. See "Penalties."

MONTH.

Reference to. § 73 : p. 63 : l. 19. See "Penalties."

MORE.

Combination, etc., between two or more persons in restraint of import trade, illegal and void. § 73 : p. 63 : l. 3.

N

NOT EXCEEDING.

Reference to. § 73 : p. 63 : l. 17. See "Penalties."

NOT LESS THAN.

Reference to. § 73 : p. 63 : l. 19. See "Penalties."

O

ONE HUNDRED.

Reference to. § 73 : p. 63 : l. 16. See "Penalties."

OPERATE.

Trusts, etc., intended to operate in restraint of lawful trade or free competition, etc., in import trade, illegal and void. § 73 : p. 63 : l. 6.

P

PART.

Reference to. § 73 : p. 63 : l. 8.

PENALTIES.

Every person who is or hereafter shall be engaged in importation of goods or any commodity from any foreign country in violation of this section of Act, or who shall conspire, etc., is guilty of misdemeanor, and shall be fined not less than \$100 and not exceeding \$5,000, and shall be further punished by imprisonment, in the discretion of the Court, for a term not less than three months nor exceeding twelve months. § 73 : p. 63 : l. 16.

Every person who shall combine or conspire with another to violate this section of the Act, guilty of misdemeanor. Penalty same as above. § 7 : p. 63 : l. 16.

[The references are to sections, pages, and lines]

PERSON.

Reference to. § 73 : p. 63 : l. 11, 16.

PERSONS.

Reference to. § 73 : p. 63 : l. 3.

POLICY.

Every combination, conspiracy, trust, agreement, or contract in restraint of import trade, etc., declared to be contrary to public policy, illegal and void. § 73 : p. 63 : l. 2.

PRICE.

Combinations, etc., in import trade intended to increase market price in any part of United States of article imported, etc., contrary to public policy, illegal and void. § 73 : p. 63 : l. 8.

PUBLIC POLICY.

See "Policy."

PUNISHED.

Reference to. § 73 : p. 63 : l. 18. See "Penalties."

R

REFERENCES.

To Section 73 of this Act. § 73 : p. 63 : l. 22. § 76 : p. 64 : l. 10.

To Section 74 of this Act. § 75 : p. 64 : l. 2.

REPEAL.

Sections 73, 74, 75, 76, and 77. Tariff Act of July 24, 1897, not to be construed to repeal. § 1 : p. 64 : l. 29.

RESTRAINT.

Every combination, conspiracy, etc., intended to operate in restraint of lawful trade, etc., of any article imported, etc., declared to be contrary to public policy, illegal and void. § 73 : p. 63 : l. 7.

S

SAME.

Reference to. § 73 : p. 63 : l. 3, 14.

SECTION.

Reference to. § 73 : p. 63 : l. 13.

Reference to Section 73 of this Act. § 74 : p. 63 : l. 22. § 76 : p. 64 : l. 10.

To Section 74 of this Act. § 75 : p. 64 : l. 2.

SUCH.

Reference to. § 73 : p. 63 : l. 10, 16.

SUM.

Reference to. § 73 : p. 63 : l. 16. See "Penalties."

[The references are to sections, pages, and lines]

T

TARIFF.

Act of July 24, 1897, not to repeal Sections 73 to 77. § 1 : p. 64 : l. 29.

TERM.

Reference to. § 73 : p. 63 : l. 18. See "Penalties."

TERRITORY.

Reference to. § 76 : p. 64 : l. 12.

THOUSAND.

Reference to. § 73 : p. 63 : l. 17. See "Penalties."

THREE.

Reference to. § 73 : p. 63 : l. 19. See "Penalties."

TRADE.

Every combination, conspiracy, trust, etc., between persons engaged in importing, etc., in restraint of free competition in lawful trade, etc., contrary to public policy, illegal and void. § 73 : p. 63 : l. 7.

TRUST.

Every trust, etc., in import trade declared to be contrary to public policy, illegal and void. § 73 : p. 63 : l. 1, 6.

TWELVE.

Reference to. § 73 : p. 63 : l. 19. See "Penalties."

TWO OR MORE.

Every combination, conspiracy, etc., between two or more persons, etc., engaged in importing, etc., declared to be contrary to public policy, illegal and void. § 73 : p. 63 : l. 3.

U

UNITED STATES.

References to. § 73 : p. 63 : l. 5, 8, 10, 15. § 74 : p. 63 : l. 20, 23.
§ 76 : p. 64 : l. 12, 15. § 77 : p. 64 : l. 19.

V

VIOLATE.

Penalty for every person who shall combine or conspire with another to violate this section of the Act. § 73 : p. 63 : l. 14. See "Penalties."

[The references are to sections, pages, and lines]

VIOLATION.

Penalty for every person who is or shall hereafter be engaged in importation of goods or any commodity from any foreign country in violation of this section of this Act. § 73 : p. 63 : l. 13. See "Penalties."

VOID.

Every combination, conspiracy, trust, agreement, or contract in restraint of import trade, etc., declared to be contrary to public policy, illegal and void. § 73 : p. 63 : l. 3.

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